

State of State: Gov. Bredesen calls for major investments in education

BY CAROLE GRAVES
TML Communications Director

As part of \$243.3 million budget proposal earmarked for new education spending, Gov. Phil Bredesen is proposing \$120 million in new money for at-risk students in grades K-12 and \$27 million annually for all student growth, in the year in which it occurs.

"This will help the students who need extra, and it will help other students as well by stopping the robbing of Peter to pay Paul that goes on now," said Bredesen.

The governor announced his proposed plan during his fifth State of the State Address delivered last week before a joint convention of the 105th Tennessee General Assembly. During the 30-minute speech, he told legislators that he was not in favor of making a radical overhaul of the Basic Education Program (BEP) and the wiser choice is to address the needs of both urban and rural school districts.

"I believe – and the BEP Review Committee has independently come to the same conclusion – that it is a better strategy to build on and improve what we have – to continuously identify specific needs and shortcomings," he said.



Gov. Bredesen focuses on education at fifth State of the State Address

The BEP committee was created by statutory law in 2004 to review the state's education funding formula, giving specific consideration to three major issues: the cost

of educating at-risk children; the cost of educating English language learners; and the development and implementation of a system-level

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www.TML1.org

TML Web site and the Hometown Connection

A new section to TML's web site, entitled Hometown Connection, has been developed and will serve as a legislative library that's open 24/7.

By accessing the Hometown link, city officials will find information on the League's 2007 legislative agenda complete with issue briefs, background information, and specific legislation being proposed by TML.

This section will also feature a series of legislative folders packed

with information on key issues that affect municipalities, a bill tracking system to stay current on specific legislation as it moves through the process, as well as access to Legislative Bulletins, and Action Alerts distributed during the session.

The new web site is now up and running. However, many legislative items will be added to the website throughout the legislative session and will continue to be a work in progress.

Bipartisanship no pipe dream for state pols

BY BARBARA ROSEWICZ
Stateline.org

As the nation wonders whether the new split in power between Congress and the White House is a sure bet for gridlock, the lesson from beyond the Beltway is that plenty still can be accomplished when political control is divided between Republicans and Democrats.

Just last year, in six states where one party controls the executive

branch and the other has the majority of one or both houses of the legislature, the two sides agreed to hike the minimum wage. In Massachusetts and Vermont, GOP governors worked with Democratic-controlled legislatures to cover the medically uninsured. In California, Republican Gov. Arnold Schwarzenegger reversed his governing style to work with Democratic majorities in the legislative branch and take the nation's lead in fighting global warming. Meanwhile, all those issues bogged down in fierce partisan battles at the federal level.

While divided government seems like a stark change on Capitol Hill after a stretch of solid Republican control, states have figured out how to work across the political divide. Frankly, they don't have any

See BIPARTISAN on Page 3

Illegal immigration issues dominate in 2007

BY VICTORIA SOUTH
TML Communications Coordinator

As illegal immigration issues spill over into 2007, lawmakers on federal, state, and local levels are anxious to lessen the flow with preventive legislation while new programs and laws go into effect nationwide.

Davidson County will become one of four municipalities in the country to participate in an immigration enforcement program sponsored by the Department of Homeland Security (DHS). Davidson County Sheriff Daron Hall attended a meeting in Washington, D.C., hosted by U.S. Sens. Lamar Alexander and Bob Corker and Tennessee Reps. Jim Cooper and Marsha Blackburn following the signing of a Memorandum of Understanding (MOU) by DHS Assistant Secretary Julie Myers.

There, the 287(g) program was reviewed that authorizes sheriff's deputies to check the immigration status of every county jail detainee since September and enforce appropriate immigration action including department proceedings.

According to Hall, a five-week training session for 12 individuals selected as immigration officers will be held in Nashville by DHS officials beginning March 3.

"I couldn't be prouder," Hall said from Washington. "Everything



Courtesy of Sen. Alexander's office

U.S. Sen. Bob Corker, Assistant Homeland Security Secretary Julie Myers, Davidson County Sheriff Daron Hall, U.S. Sen. Lamar Alexander and Congressman Jim Cooper meet in Washington to discuss the implementation of the 287(g) program that allows sheriff's officers to run immigration background checks on detainees at the Davidson County jail.

went very smoothly. Delegates Blackburn, Cooper, Alexander, and I have been working toward this since August. I feel this meeting proved there are no bipartisan agendas going on. Both Republicans and

Democrats have worked on our behalf."

"The federal government has done its part and now Davidson County can complete the final step so that illegal immigrants held in the

Davidson County jail can be identified and our immigration laws can be enforced," said Sen. Alexander.

"It's a shame that the federal government has been so slow en-

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African-American monument shines in Paris

BY VICTORIA SOUTH
TML Communications Coordinator

Black history month is a time for celebration, stories of amazing men and women marching against all odds toward freedom, contributors to society and the world at large. A monument in Paris, Tennessee honors such as these.

Established in 1823, the same year Paris was declared a municipality, the City Cemetery became the resting spot for the remains of the town's deceased. Yet, even in death, the bodies were segregated behind its gothic gates.

Biographical plaques laud the lives of white dignitaries buried there, James Davis Porter, Tillie Cavitt Barton, John Wesley Crockett, yet, little is known about the black citizens buried at the far north end, a bleak, barren spot adjacent to the Quinn Chapel African Methodist Episcopal Church.

Few, if any, records exist for these unknown souls, and local historians predict most were the slaves of the whites reposed higher on the

hill. The better made head stones on the hill fared well, but the narrow rows of sandstone through the decades and the seasons like neglected rows of teeth crumbled and withered away until two worn, illegible slates were the only evidence that an undetermined number of African-Americans were buried across a grassy slope in Paris. Then, two old friends received divine inspiration from the grave.

After ending a long career and serving with honors in both the U.S. Army and Marine Corps, Georg Todd was ready to come home to Paris. He missed his family and the hometown of his youth where he was born and raised.

A caring and civic-minded man, Todd soon became immersed in the city arts council and educational causes in the community. Like his dear friend, Paris City Manager Carl Holder, Todd intended to make a difference.

At a 2005 ceremony honoring those who've made Henry County what it is today, Todd agreed to perform a soliloquy honoring the slaves

See AFRICAN on Page 6



A symbolic portrait of an African-American woman of the 19th century graces one side of the 6-foot granite monument at the Paris City Cemetery. An African-American farmer is etched upon the other side.

March 5-6 Legislative Conference at DoubleTree

Make plans now to attend the Tennessee Municipal League 2007 Legislative Conference, slated for March 5-6 at the DoubleTree Hotel in downtown Nashville.

The theme of the conference is: Today's Challenges are Tomorrow's Opportunities.

The conference will kick off at 1:00 p.m. on Monday with Lt. Gov. Ron Ramsey, House Speaker Jimmy Naifeh, and Comptroller John Morgan slated to address our membership about key issues facing state and local governments.

The Monday afternoon session will also feature a presentation by Tom Fleming, assistant to the Comptroller for property assessments, on the proposed Senior Homestead legislation. There will also be time set aside for each district to meet. The Monday session will adjourn in time for city officials to attend the floor session in the Senate and House.

On Tuesday, a full breakfast will be served beginning at 8 a.m. The rest of the morning will be spent updating city officials on ethics regulations and requirements of elected officials, as well as the status on the Cable Franchise bill currently being proposed by AT&T.

Registration forms are available at www.TML1.org. Delegate fees are \$50 and spouse/guest fees are \$20.

Monday, March 5

12 p.m. Registration
1:00 Welcome
1:15 Speaker Jimmy Naifeh
1:30 Lt. Gov. Ron Ramsey
1:45 Comptroller John Morgan
2:00 Break
2:15 Tom Fleming
Comptroller's office
Sr. Homestead Exemption
3:00 Break Out – TML Districts
Bill Review
Adjourn
4:00 Floor sessions
Legislative Plaza
Tuesday, March 6
8 a.m. Breakfast
9:00 Ethics Regulations
Cable Franchise Bill
Committee meetings
Legislative Plaza

NEWS ACROSS TENNESSEE



BY TISH WOMACK
TML Research Analyst

BELL BUCKLE

Bell Buckle town hall is the proud owner of a 1902 Behr Brothers upright piano, donated by the First Community Bank of Bedford County. The piano, lovingly refinished and refurbished, was originally intended for the governor's mansion, but was given to Bell Buckle when a baby grand was preferred for the mansion.

BRIGHTON

The town's fire department purchased new air packs, another thermal imaging camera, and other needed items with its \$88,000 U.S. Department of Homeland Security grant.

CHATTANOOGA

Chattanooga is one of the finalists for the new Toyota plant; the other is a location near Marion, Ark. The plant will employ up to 2,500.

CHATTANOOGA

Chattanooga has received about \$600,000 in a U.S. Department of Housing and Urban Development HOME grant for permanent housing for low-income households.

COLLIERVILLE

Collierville police are now required to wear bullet-proof vests while on duty. Heavier duty vests able to stop projectiles will be worn by officers when going on a raid.

COOKEVILLE

The city council approved a measure to create a legal department at their late January meeting. The city has grown to the point where a full-time city attorney is becoming a necessity, according to City Manager Jim Shipley.

FRANKLIN

Moody's Investors Services gave Franklin an Aaa rating on the city's \$20 million general obligation capital improvement bonds and affirmed the Aaa rating on its \$84 million previously issued parity debt.

GERMANTOWN

A mobile command center van with radio equipment, television screens and satellite and computer connections has arrived in Germantown. The \$330,000 van was purchased with three Homeland Security grants.

HOHENWALD

The Hohenwald city hall has new efficient HVAC units and modified ductwork that the city anticipates will save \$5,000 annually over the next 14 years. The city used a zero interest energy loan through the Tennessee Department of Economic and Community Development as a Three-Star community.

HOMELAND SECURITY DISTRICT 1

A rolling 911 center has been purchased with about \$280,000 in homeland security funds to be located in Gray, a centrally located site near two Interstate highways. The trailer has a meeting room in the front and the capacity to provide communication with emergency workers during a crisis.

KNOXVILLE

The city council approved plans for upgrading and opening the World's Fair Sunsphere and Tennessee Amphitheater by this fall.

MARYVILLE

An Environmental Protection Agency grant of will finance an open-air classroom, outdoor laboratory, and a boardwalk and parking lot at Pistol Creek. The project is a collaborative effort between

Maryville and Maryville College.

MCMINNVILLE

The McMinnville Public Safety Unit, a volunteer unit of auxiliary officers, has saved the city \$140,000 since it began operations in 2003. The unarmed officers handle calls that don't require a law enforcement officer thus freeing up police officers to handle the police business.

MEMPHIS

MovieMaker magazine's winter issue lists Memphis seventh in its Top 10 movie cities for this year, up from 10th place in 2006. Memphis, the only Tennessee city to make the list, has been the site for *Walk the Line*, *Hustle & Flow* and *Blake Snake Moan* movies.

MILLINGTON

The U.S. Corps of Engineers selected Millington for its new Logistics Activity Center at the Naval Support Activity Mid-South base that will employ up to 120 workers.

MORRISTOWN

The cutting facility of Berkline/Benchcraft LLC in Morristown will close. The cost cutting and streamlining effort affects 150 employees. The shut down began this month.

MOSHEIM

The city has received a clean audit report for the 2005-06 fiscal year with net assets valued at more than \$11.5 million.

NASHVILLE

Five Nashville bicycle police officers are now riding around the downtown area on motorized scooters that are just as maneuverable but much faster in traffic than bicycles.

NEWBERN

Briggs & Stratton announced it will locate a manufacturing plant in Newbern.



Photo courtesy of The Chattanooga Times Free Press

Chattanooga Mayor Ron Littlefield and Atlanta Mayor Shirley Franklin, both strong advocates of civil rights, neighborhoods, and the homeless spoke in Chattanooga at a sold out event: The Power of One Mayor's Luncheon. Both mayors were in Washington, D.C., recently attending the U.S. Conference of Mayors. Mayor Franklin received the President's Award by the U.S. Conference of Mayors recognizing her as among the best of the best. The award focused on her energetic campaign to save the Dr. Martin Luther King papers from being auctioned.

PEOPLE

BY TISH WOMACK

Tennessee Valley Authority Director **Bill Baxter**, Knoxville, resigned

his TVA board of director's seat to spend more time with his Knoxville business. He served as the last full-time chairman of TVA prior to its restructuring in 2006.



Baxter

Former Deputy Governor **Dave Cooley** has formed his own company, Cooley Public Strategies, that is a subsidiary of the Nashville public relations firm McNeely, Piggott & Fox for whom he worked from 1993-2001.

Former Tennessee U.S. Rep. **Harold Ford Jr.** was named chairman of the Democratic Leadership Council. He will also teach a class at Vanderbilt University this semester.



Ford

Columbia city officials named City Engineer **Jim Fuller** acting city manager. He replaces former City Manager **Mike Miller**.

Clarksville Mayor **Johnny Piper** named Capt. **Al Ansley** interim police chief replacing Police Chief **Mark Smith**.

Josh Jones new MTAS legal consultant

The Municipal Technical Advisory Service (MTAS) is pleased to welcome new legal consultant, Josh Jones, to its Nashville office.

Jones hails from Maryville and graduated with a degree in psychology from the University of Tennessee at Knoxville.

After two years with AmeriCorps, Jones attended Brandeis School of Law at the University of Louisville, where he earned his Juris Doctor.

After spending a short time in private practice, Jones served two years as a child support prosecutor in Chattanooga.

Jones administers direct legal advice to city officials, provides training for municipal officials, and assists with legislative bill re-



Jones

view for the Tennessee Municipal League.

"I hope to provide a listening ear and creative solutions to cities across the state," said Jones. "I'm excited to serve with MTAS in Nashville."

STATE BRIEFS



BY TISH WOMACK

A study by the state Comptroller's Office of Education Accountability, "State Approaches to Improving Tennessee's High Priority Schools," indicates Tennessee doesn't provide enough funding for urban school districts or provide adequate support for new teachers. The report is available on the Comptroller's website: www.comptroller.state.tn.us.

Gov. Phil Bredesen and state health care officials launched a statewide campaign to raise funds for a scholarship program, The Graduate Nursing Loan Forgiveness Program, to help current registered nurses pay the costs of earning graduate teaching degrees. The program is part of the effort to ease the



The U.S. Census Bureau has begun mailing informational booklets to all state, local and tribal governments asking for their assistance in providing updated addresses for their communities, part of an early, concerted effort to make the 2010 Census as accurate as possible.

shortage of nurses in the state by paying 100 RNs per year to obtain graduate degrees and teach undergraduate nursing studies for four years. For each year a graduate teaches in a Tennessee nursing school, 25 percent of the loan will be forgiven.

Traffic fatalities in Tennessee dropped 6 percent in the past two years, according to preliminary 2006 figures. The drop is attributed to the state passing the lower blood alcohol level (0.08) and the ability of police to pull over drivers not wearing seat belts.

The Tennessee Department of Economic and Community Development has two new grant programs: the Three-Star Priority Grant and the Three-Star Innovation Grant. The Three-Star Priority Grant, with a \$2,500 maximum amount and a matching amount from a Three-Star community, is to support strategic plans. The Three-Star Innovation Grant, a competitive matching grant program, is to encourage communities to develop new and innovative community enhancement programs.

FastTrack Infrastructure grants were announced by Gov. Phil Bredesen and Economic and Community Development Commis-

sioner Matthew Kisber. Among the grantees were: Mosheim, \$149,640 for sewer system improvements at the MD Recycling, Inc.'s facility; Oak Ridge, \$750,000 for stormwater drainage/site improvements assistance to Professional Project Services, Inc.'s facility; Portland, \$367,650 to assist federated Department Stores, Inc. with construction of a water storage tank at their distribution facility; and Metro Nashville, \$343,000 to assist Gateway Pro Partners, LLC with site improvements at its facility.

Tennessee ranked third in the nation for insured property damage caused by tornadoes. In a report issued by Property Claims Services, Tennessee had \$4,873 million in claims, 90 percent of which occurred last April after two sets of tornadoes went through the state in one week.

The Tennessee Department of Transportation (TDOT) is accepting grant applications for the Safe Routes to School program, a federal grant program for infrastructure and non-infrastructure projects aimed at supporting increased biking and walking among children. The deadline is March 15. For more information visit www.tn.gov/tdot/bikeped and click on Safe Routes to School, or call the program coordinator at 615-253-2421.

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Political control split in many state legislatures

BIPARTISAN, from Page 1
choice. Exactly half the nation’s state capitols are divided, with governors from one party and at least one house of the legislature in the hands of the other. (Democrats control both the executive and legislative branch in 15 states, Republicans in 10.) Before the 2006 election, 30 states had divided government.

Partisan colorations mean somewhat less at the state level, where pragmatism and problem-solving are necessities. For one thing, pressure to compromise is built-in when all states but Vermont are constitutionally required to balance their budgets. For another, state lawmakers are more willing – and because of the smaller scale, have the luxury – to experiment with policy. And in 15 statehouses with term limits, legislators work under deadline pressure to make their mark in six to 12 years.

A need to produce results means Republicans at the state level are more accustomed to bending occasionally to Democratic ideas and vice versa. Arizona Gov. Janet Napolitano (D) wielded her veto pen like a machete last year over the GOP-dominated legislature, killing 43 bills, including some to restrict abortion and stiffen penalties on illegal aliens. But she compromised on her impulse to invest the state’s entire \$1.4 billion surplus in state programs and savings, yielding to Republicans who wanted tax cuts.

On the minimum wage, states proved far faster than Congress at responding to overwhelming public support in polls for raising the \$5.15-an-hour federal rate, last updated in 1996. Federal attempts to raise the wage fell apart before the 2006 elections, though congressional Democrats now are resurrecting the idea. But at the state level, the rush to raise the minimum wage bordered on stampede and even caught up two Republican governors – Schwarzenegger and Arkansas’ Mike Huckabee. They broke ranks and signed minimum wage hikes last

year, joining nine other states that enacted pay increases by statute and six more that did so by ballot measure. In all, 30 states now mandate higher minimum wages than does Congress.

What states have learned is that cracking the tough problems sometimes requires crossing the political aisle, even if that means breaking party stereotypes. That’s precisely what Schwarzenegger and fellow Republican Mitt Romney, as governor of Massachusetts, did when they proposed a government-led solution to the problem of the uninsured. Sometimes leaders who do that have more credibility precisely because they’re going against the partisan grain, much as when anti-communist warrior President Richard Nixon moved to open relations with Communist China. Or when Democratic President Bill Clinton broke with many in his party to sign a welfare reform bill passed by a Republican Congress.

President Bush himself is no newcomer to divided government. One of his hallmarks as Texas governor was his flair at working with Democrats who controlled the legislature then. One starting point to stave off D.C. gridlock could be immigration, where the Democratic takeover of Congress makes it easier – rather than harder – to see a deal on Bush’s proposed guest-worker program.

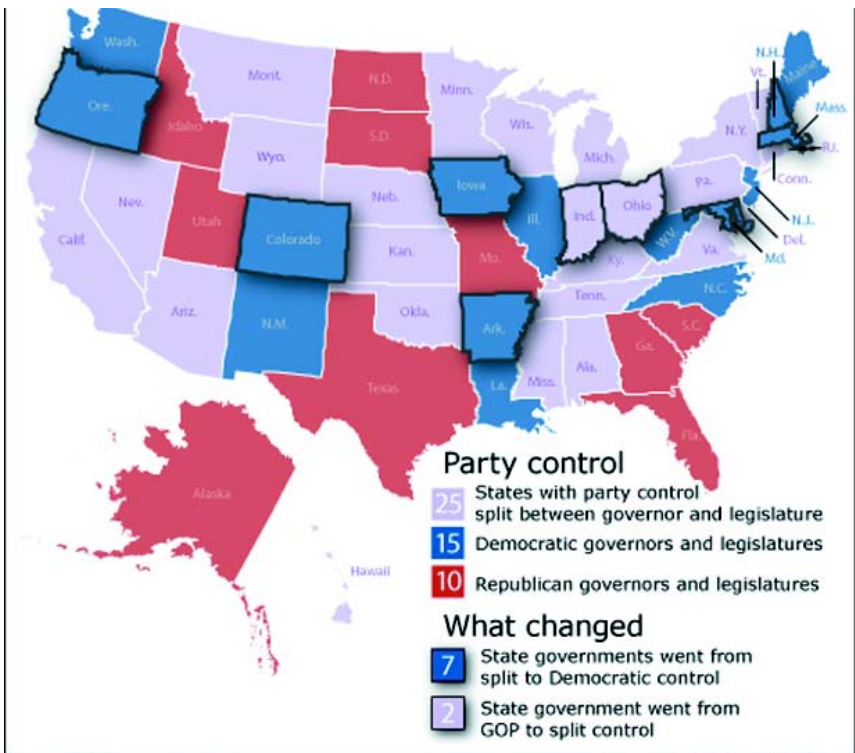
In Tennessee

In Gov. Phil Bredesen’s State of the State address, the governor 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.”

Stateline.org is an independent element of the Pew Research Center.

The state of partisan politics



The 2006 elections gave Democrats control of the governor’s office and both legislative chambers in 15 states, up from eight, while Republicans control 10, down from 12. Tennessee is among 25 states with party control split between the governor and the legislature.

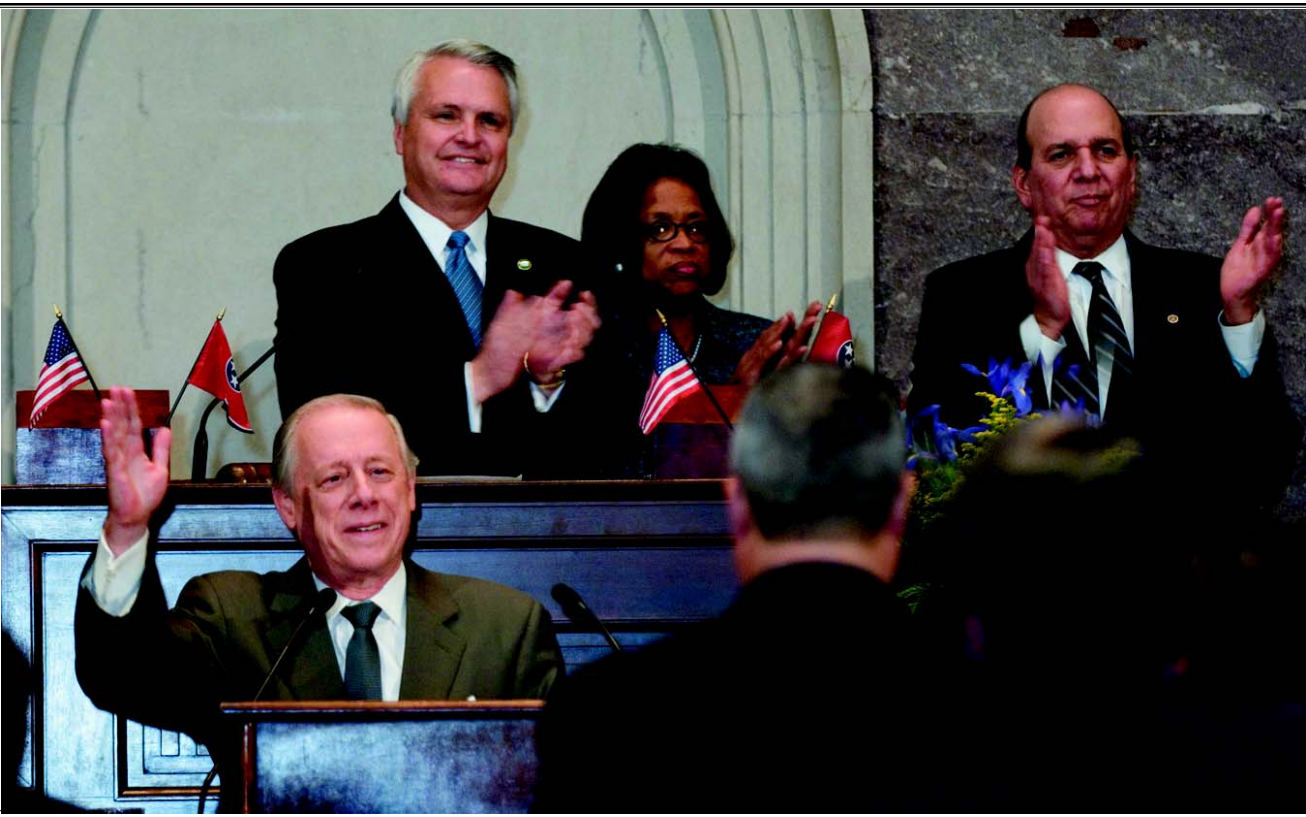


Photo courtesy of State Photo Service

Gov. Phil Bredesen joins Lt. Gov. Ron Ramsey, House Speaker Pro Tem Lois DeBerry, and House Speaker Jimmy Naifeh at the podium of the House chamber to deliver his fifth State of the State address.

Bredesen proposes new money for education

ADDRESS continued from Page 1
fiscal capacity model to address the differences of each school system’s ability to fund K-12 education. The potential change to a fiscal capacity model index is projected to increase state revenues for some school districts, while significantly decreasing state support for others. In most instances, city school systems would see reductions in state BEP funding, should a system-level fiscal capacity model be adopted.

Bredesen said that his plan will help resolve inequities in state funding between school districts and is a major step forward for the state of Tennessee.

Other proposals in new education spending include:

- \$25 million to fund additional Pre-K classrooms statewide,
- \$48 million to hold tuition increases at state colleges and universities to 6 percent,
- \$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, and
- \$48 million to fund operating increases in Tennessee’s higher



Photo by Victoria South

Speaker Naifeh visits with former Gov. Ned McWherter prior to Bredesen’s address.

education system.

To fund these new initiatives, Bredesen is proposing a 40-cent increase in the state’s cigarette tax. More than 90 percent of the money raised by the proposed tax will go directly into the classroom and into the state’s colleges. About \$21 million will be allocated to agriculture and anti-smoking programs.

“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.”

Bredesen said that these new initiatives are part of a comprehensive strategy for strengthening Tennessee’s public education that

includes:

- preparing every student for success,
- providing adequate funding to every district,
- raising standards and expectations, and
- making college more assessable and affordable.

“My message tonight has been about educating our children, and at its heart has been simple: Tennessee is ready – ready to lift its sights, ready to look further, ready to seize the future. Tennessee is ready; the question is, are we?”

Bredesen will present his entire 2007-08 budget proposal later this month. It will contain specific requests for investments in education, job creation, health care and environmental protection.

State Revenue Department extends April 15 tax filing deadline to April 17

Tennessee taxpayers will have until Tuesday, April 17, to file state taxes due April 15. The Tennessee Department of Revenue’s decision to extend the filing time follows an announcement earlier this year by the Internal Revenue Service that it was changing its federal income tax deadline nationwide to April 17 for this year only.

The April 17 deadline will apply to the following: Hall income tax and franchise and excise taxes.

“We will follow the IRS’s lead in regard to the April 17 filing dead-

line. As always, we encourage taxpayers to utilize our online tax filing applications,” said Revenue Commissioner Reagan Farr.

The Department of Revenue is responsible for the administration of state tax laws and motor vehicle title and registration laws and the collection of taxes and fees associated with those laws.

The department collects approximately 92 percent of total state tax revenue. During the 2005-2006 fiscal year, the department collected \$10.3 billion in state taxes and fees.

In addition to collecting state taxes, \$1.8 billion of local sales tax was collected by the department for local governments during the 2005-2006 fiscal year.

Besides collecting taxes, the department enforces the revenue laws fairly and impartially in an effort to encourage voluntary taxpayer compliance. The department also apportions revenue collections for distribution to the various state funds and local units of government.

To learn more, log on to www.Tennessee.gov/revenue.

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League launches new grassroots district program

The Tennessee Municipal League has launched a new grassroots program implemented through each TML district. The newly-developed program is designed to capitalize on TML’s greatest asset – its members. After all, municipal officials are the most knowledgeable about their community and best suited to assess the effects of legislation, and therefore, are best able to articulate their views on an individual bill or amendment to their legislators.

District meetings were held across the state in January to explain the new program and how it will help build, foster, and facilitate constructive relationships between city officials and their state legislators.

With implementation,advocates efforts will become more localized as each district is established as a primary point of contact and a point of origin for all efforts. District directors will actively engage in arranging meetings for city officials with legislators and provide feedback to the League on what they are hearing in the field.

Through the District directors’ program, the League staff will provide the support and tools needed to effectively deliver a coordinated message on city issues to legislators. Staff efforts will compliment each district’s work, but can not be a substitute for the personal contact and relationship established with each respective legislator.

Key elements of the program include:

- **District Meetings** – New format with emphasis on district directors asserting more leadership and more tailored programs that foster more interaction and discussion of issues of importance to the district.
- **District Legislative Meeting** – Mayors and/or city managers in the district meet with legislators to convey TML legislative initiatives and positions on other legislation of interest to municipalities. These meetings should be a recurring event and should be planned at a time when the legislature is not likely to be in session and legislators will be back home.
- **Contact/Whip Reports** – Lobbyist will provide weekly whip reports to each district director. District directors are to follow up with officials in his/her district to ensure each legislator is contacted and that the whip report is current and accurate.
- **Record Votes** – TML will create a permanent record of legislators committee and floor votes on bills and amendments of interest to municipalities. The membership will be able to access each legislator’s score card through a members-only, password protected section.
- **District Press List** – District directors will serve as a spokesperson as well as identify other key individuals willing to respond to press inquiries, as needed.



District 1: Jeff Brighton, Bristol city manager, and James Epps, Johnson City attorney.



District 1: Jim Messimer, Bristol mayor and district director; Jane Myron, Johnson City commissioner and district officer; and Randy Trivette, Erwin city recorder and district officer.



District 2: Kay Senter, Morristown vice mayor and district director.

Photos by Carole Graves and Denise Paige



District 2: Joe Muscatello, TMBF representative; John Johnson, Jefferson City manager; Gary McClain, Maryville city manager; Roger Campbell, Maryville assistant city manager; and Randy Williams, TML Risk Management Pool representative.



District 3: David May and Richard Banks, Cleveland council.



District 3: John Proffitt, Athens mayor and district officer; Avery Johnson, Cleveland vice mayor and district director; Linda Bennett, Chattanooga councilmember and district officer.



District 4: Jesse Kerley, Crossville council; Terry Crane, Spencer mayor and district officer; and Darius Sims, Town of Livingston



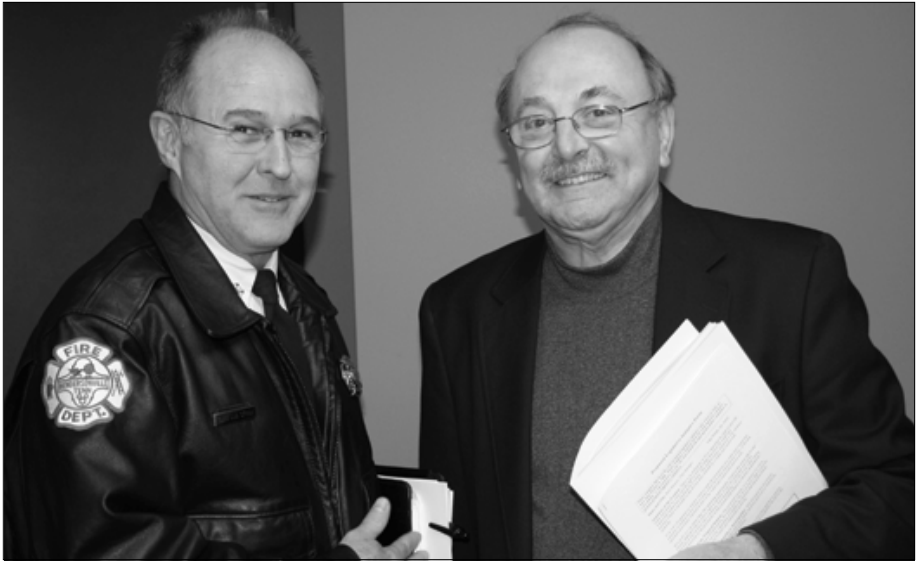
District 1: Russell Treadway, Elizabethton city manager, and Charles Stahl, assistant city manager of Johnson City.



District 2: Rick Trent, Morristown council; Ralph “Buddy” Fielder, Moristown assistant city administrator; and Alan Hartman, Morristown development director.



District 4: Tommy Pedigo, Sparta mayor and district director, and J.H. Graham III, Crossville mayor.



District 5: Jamie Steele, Hendersonville fire chief, and Billy Paul Carneal, Springfield mayor.



District 5: Jim Bracey, Whitehouse alderman; Angie Carrier, Whitehouse city administrator; Mike Arnold, Whitehouse alderman.

City officials attend meetings held across state



District 5: Paul Nutting, Springfield city manager and district director, Scott Foster, Hendersonville mayor.



District 6: Bob Spivey, Smyrna mayor; Margaret Mahery, TML executive director; and Christa Martin, Columbia councilmember



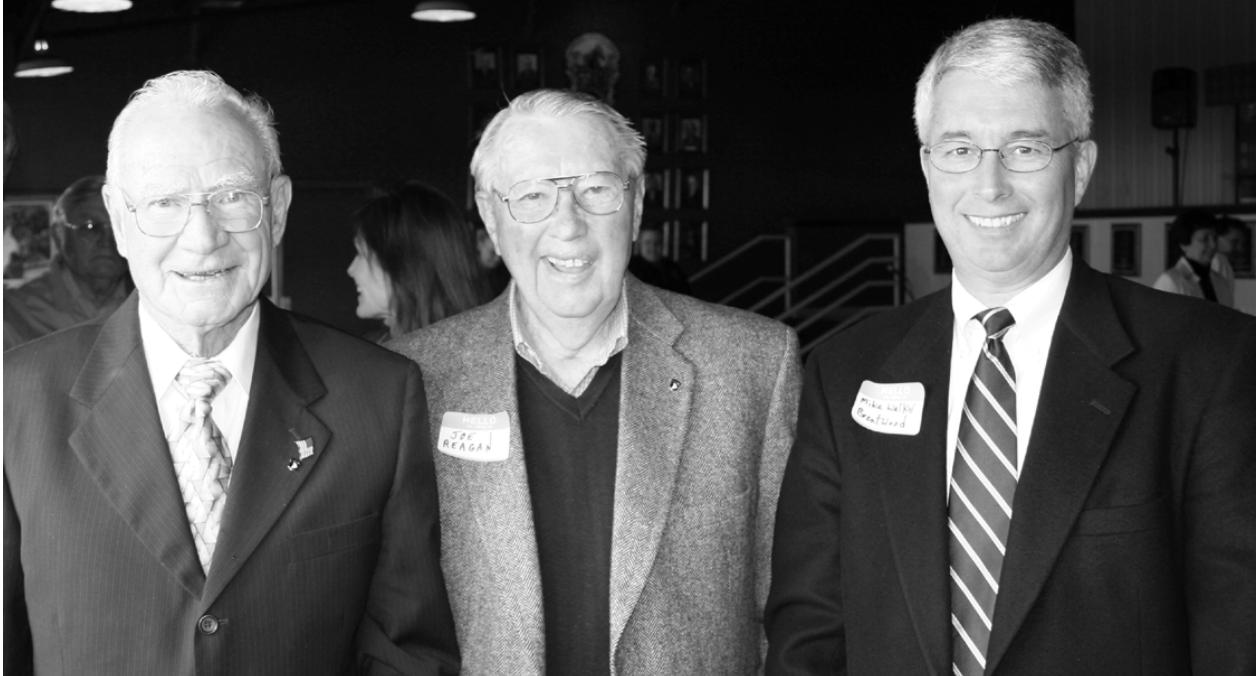
District 5: Charles “Bones” Seiver, TMBF president; Johnny Piper, Clarksville mayor; and Wilbur Berry, Clarksville finance director.



District 6: Beth Lothers, Nolensville mayor, and Ed Craig, Shelbyville city manager and district director.



District 6: Bell Buckle city officials



District 6: Joe Sweeney, Brentwood mayor, Joe Reagan, Brentwood commissioner, and Mike Walker, Brentwood city manager.



District 7: Webb Banks, Brownsville mayor and Randy Brundige, Martin mayor and district director.



District 7: George Killebrew, Milan mayor; Walter Winchester, McKenzie mayor and district officer; and Charles Beal, McKenzie city recorder.



District 8: Keith McDonald, Bartlett mayor and district director, E.C. Jones, Memphis councilmember and distirct officer.



District 8: TaJuan Stout Mitchell, Memphis government relations, and Jenny Falkof, Memphis compliance attorney.



District 7: Bob Kirk, Dyersburg alderman.

African-American monument shines in Paris

MONUMENT *from page 1*
and free blacks who helped build the town, yet lay buried in unmarked graves. His character, Noah Crawford, representing the spirit of a 19th century black farmer interred at the north end of the cemetery so moved Holder that afterward he approached Todd.

“It’s a shame we have nothing in town to commemorate the people you spoke of,” Holder said. “There really ought to be. We can’t change the past, but we can change the future.” Tears flowed as Holder suggested the two men work together to make the memorial a reality.

Suddenly, the dream took on life in the town. An ad hoc committee was formed, local artist Jan Foster was commissioned to design the memorial and symbolic portraits appearing on the monument representing the lifestyle of slaves and free blacks of the era. The creation would be crafted and erected by Paris Mayor David Travis, the owner of a local monument business.

A year later, a large group of citizens of both white and black races gathered together at the north end of Paris Cemetery to christen the

6-foot obelisk in a heartfelt and emotional ceremony.

The faces on the monument replace the unknown. A portrait of an African -American woman embracing two children, one white and one black, appears on one side of the obelisk, an African American farmer on the other. Poignant inscriptions by former citizen Dr. Mordecai Johnson, the first black president of Howard University, and an explanatory quote by Holder appear as well:

Nearby are the unmarked graves of an undetermined number of slaves and others of African-American descent who though lacking personal freedom or equality of standing as citizens contributed to the building of our community through their physical toil, perseverance and unfettered spirituality. Though they are unknown, we commemorate their lives and pledge to seek the fulfillment of their hopes and dreams in their descendants. For these purposes we dedicate this monument - Citizens of Paris, 2006.

In the spring of 2007, women in the community will plant flowers typical of a 19th century African-



Paris City Manager Carl Holder (left) along with citizen and community volunteer Georg Todd worked tirelessly to make the monument honoring African Americans in unmarked graves a reality.

American garden around the monument and circular walkway.

“What they have done here is amazing,” said Pastor Kenneth Golphin of the Quinn Chapel AME church, whose church members sang at the ceremony.

“Carl’s commitment to the community amazes me,” said Todd about his friend.

The two are united in history through their ancestors on the memorial.

The two children etched into the memorial were modeled by Holder’s granddaughter, Lakota Brown, and Todd’s nephew, Joshua Todd.

“After the ceremony the two children wearing costumes of the period, buddied up laughing and

playing about the cemetery,” smiled Holder. “I told Georg, this is what civilization has been trying to accomplish for 150 years.”

Then, there are the coincidences, two markers, two friends, one black, one white and the granite Mayor Travis and others so lovingly designed? It had to be special ordered...all the way from Africa.



Photos by Victoria South

Time and weather have eroded the two remaining sandstone markers of African- Americans buried in the Paris City Cemetery. Pictured to the right: A walk-a-round encourages citizens to examine the poignant messages and artwork on the monument’s four sides. The grounds surrounding the obelisk are unmarked African- American gravesites.

China trade mission open

BY JAMES BROOKS
Nation’s Cities Weekly

For the fourth consecutive year, NLC will collaborate with the U.S.-China Exchange Association to offer American municipal officials and their local business partners the opportunity to visit China and explore commercial opportunities.

The 2007 program will take place from June 23 until July 2. The seminars and business match-making sessions will be hosted in the cities of Shanghai, Chongqing and Beijing.

All program costs for municipal elected officials (airfare, hotels, meals, translation, ground transportation, and tours) are provided by the program sponsors. Private sector participants who accompany the elected officials as part of a “com-

munity economic development team” are charged for direct program costs. Historically, the cost for business representatives is approximately \$3,000 per-person.

The chair of NLC’s International Council for 2007, Ted Ellis, mayor, Bluffton, Ind., participated in last year’s trade mission.

“The trade mission was enormously valuable to me and to the local business leaders who participated as part of the team from my community,” he said. “Smaller cities don’t always have access to global programs that can help us enhance our economic prosperity.”

For information, contact the NLC International Programs staff by telephone at (202) 626-3163 or by e-mail at brooks@nlc.org.

The registration deadline is May 25.

Nominations open for 2007 TDEC Stewardship awards

The Department of Environment and Conservation is inviting Tennesseans to submit nominations for the Governor’s 2007 Environmental Stewardship Awards. The awards recognize Tennesseans who go above and beyond to protect the state’s diverse environment.

“The quality of our environment is a cornerstone of the lifestyle that Tennesseans enjoy,” said TDEC Commissioner Jim Fyke. “Our environment impacts everything from our recreational activities to the health of our communities, so it’s important that we recognize the people and organizations that work so hard to protect it.”

The Stewardship Awards cover 12 categories: Agriculture/Forestry; Aquatic Resource Preservation; Building Green; Energy Leadership; Environmental Education and Outreach; Green Schools; Greenways and Trails; Hazardous Waste Reduction; Lifetime Achievement; Natural Heritage Conservation;

Parks and Recreation; and Pollution Prevention.

Any individual, business, organization, educational institution or agency is eligible, provided they are located in Tennessee, its projects were accomplished during the 2006 calendar year, and it does not have any outstanding non-compliance issues with the Department of Environment and Conservation. Self-nominations are encouraged.

A panel of judges representing agricultural, conservation, forestry, environmental and academic professionals will select award recipients based on criteria including on-the-ground achievement, innovation, and public education.

The deadline for nominations is March 31, 2007. Award recipients will be announced in late April 2007.

For information about the awards, log on to the Web site at www.tdec.net/awards. For more information, contact Dana Coleman at (615) 253-1916.



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Kay Senter Vice Mayor, Morristown (District 2)
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Dan Speer (1997) Mayor, Pulaski
Sam Tharpe (2001) Vice Mayor, Paris
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Bob Kirk (2004) Alderman, Dyersburg
John Franklin Jr (2005) Councilman, Chattanooga
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New passport rules effect U.S. citizens

BY JAMES BROOKS
Nation's Cities Weekly

Beginning on January 23, all persons, including U.S. citizens, traveling by air between the United States, Canada, Mexico, Central and South America, the Caribbean, and Bermuda will be required to present a valid passport or similar tamper-resistant proof of citizenship and identity. Driver's licenses, voter registration cards, and birth certificates will no longer be acceptable.

Additional proposed rules, set

Next steps in state's alternative fuels strategy

Gov. Phil Bredesen announced that his proposed 2007-2008 budget will include \$61 million for a comprehensive alternative fuels strategy to position Tennessee to be a national leader in the production of biomass ethanol and related research.

Combined with \$11.6 million in existing funding for an ongoing related project at Oak Ridge National Laboratory (ORNL), the Governor's proposal represents a \$72.6 million comprehensive plan.

"This proposal, at its core, is about joining the best of Tennessee's agricultural and academic resources and leveraging them in a unique way that will position us to take advantage of the opportunities of tomorrow," Bredesen said. "These investments will help secure our economic and environmental future and allow us to maximize our potential to be a farm-based fuels leader."

Bredesen's proposed budget will include \$40 million to build a pilot biomass ethanol plant that will operate at a capacity of five million gallons per year.

Scientists at ORNL and the University of Tennessee Institute for Agriculture have developed ethanol from switchgrass, a crop that can be grown virtually anywhere in Tennessee. Biomass crops like switchgrass represent signifi-

cant new markets for Tennessee farmers and new opportunities for Tennessee's economy.

The governor's proposal augments \$11.6 million provided by the General Assembly for construction of the Joint Institute for Biological Sciences currently at ORNL. The facility is scheduled for completion in August. UT and ORNL are currently competing for a \$125 million Bioenergy Research Center from the U.S. Department of Energy. If successful, the Bioenergy Center would be housed in the Joint Institute for Biological Sciences.

Other components of the plan in the 2007-2008 proposed budget include:

- \$10 million for UT and ORNL to fund additional research to increase switchgrass production and achieve efficiencies in the production of cellulosic ethanol.
 - \$3 million in research funding to find other, non-biomass alternative fuel sources.
 - \$8 million in agricultural incentives to help Tennessee farmers tap into the new farm-based fuels market and produce switchgrass in the quantities required to supply the pilot ethanol plant.
- "This initiative represents an incredible merging of scientific research and technology with the rich

Canada, for example, represent only about 40 percent of eligible citizens. In the United States, 25 percent are eligible. A passport in the United States costs \$97 and takes about six weeks to process.

The rules could also impact public health systems in cities such as Detroit, where more than 3,500 Canadian nurses staff local hospitals. More detailed information is available via the Internet at the Departments of State (www.state.gov) and Homeland Security (www.dhs.gov), and at the Travel Industry Association of America (www.tia.org).

agricultural resources of this state," said John Petersen, UT president. "That combination gives Tennessee the clear advantage in pursuing a leadership role in biomass fuels."

"We appreciate Gov. Bredesen's interest in Tennessee farmers and rural communities," said Lacy Upchurch, Tennessee Farm Bureau president. "Converting biomass to energy is a perfect match for Tennessee agriculture and has great income potential for our producers and the rural economy."

Bredesen also announced three programs, representing a \$3.5 million investment, recommended by the state Alternative Fuels Working Group. They include:

- Agricultural Feedstock Processing Loans to help attract investment in soybean crushing facilities to create local markets for Tennessee-grown soybeans and supply the oil needed to create biodiesel.
- Innovation Grants to help governments and state-funded universities increase the use of alternative fuels in their fleets, particularly in areas not currently attaining federal air quality standards.
- Green Island Corridor Grants to build a network of publicly-accessible B20 and E85 refueling stations or "green islands" along Tennessee's major highways.

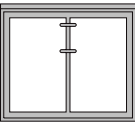


TENNESSEE FESTIVALS

Let us know the particulars about your most important festivals at least six weeks in advance of the event. E-mail Tish Womack at twomack@TML1.org or fax to 615-255-4752.

March 1-4: Nashville Lawn & Garden Show, Tennessee State Fairgrounds from 10 a.m. to 8 p.m. each day; 5 p.m. closing on Sunday. Fee: \$8 for adults, \$7 for seniors, \$1 for children under 12. For more information, visit www.nashvillegardenandgardenshow.com

COMING UP



Feb 20: Tennessee Business Matchmaking Program, Jackson Civic Centre, 8 a.m. to 3:30 p.m. Registration deadline: Feb 11. Register at www.tnecd.gov/matchmaking. Registration fee: \$35.

Feb. 23: Tennessee Municipal Attorneys Association Winter meeting at Mariott Cool Springs, Franklin; 8 a.m. to 4:45 p.m. Featured speaker: Bruce Androphy, Executive Director, Tennessee Ethics Commission. Visit www.tmaa.us for more information.

Feb 26-27: ICMA, Smart Growth Network, and the U.S. Environmental Protection Agency present "Smart Growth for Local Governments: Creating and Sustaining Livable Communities" in the First Floor Training Rooms at ICMA Headquarters, 777 North Capitol Street, NE, Washington, DC. Registration: \$195 for individuals, \$150 for teams of three or more from the same jurisdiction, or \$95 for students. Registration closes Feb. 21. For more information and to register: www.icma.org/smartgrowthdc.

March 5-6: TML Legislative Conference, Doubletree Hotel, Nashville.

March 10-14: National League of Cities Congressional City Conference, Washington, D.C.

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COMMUNITY PLANNER
MCMINNVILLE. The city of McMinnville is seeking qualified applicants for the position of community planner who will be responsible for coordinating and conducting site plan/plat reviews of conformance with city codes and sound planning practices; conducting site inspections; reviewing drawings, site plans, applications, related documentation for compliance with ordinances; and maintaining GIS system. Other related duties will include developing, coordinating and maintaining an annexation plan, serving as professional advisor, and providing staff support to McMinnville regional planning commission, board of zoning appeals, and historic planning commission. Applicants must have considerable knowledge of zoning codes and subdivision regulations as well as knowledge of planning and design theory and methodology, and principles of land use, development and planning. Strong communication skills, ability to communicate effectively with supervisors, members of the public and elected and appointed officials are necessary as being highly proficient with computer programs including GIS Arc View or Arc Info, and PowerPoint. A bachelor's degree in urban planning or geography is required; a graduate degree in urban planning and/or AICP certification preferred. Work or intern experience will be considered in lieu of master's degree. Applicants must have progressively responsible experience in city or regional planning or related field with some having been in an administrative or consultative capacity. Salary range: \$33,238-\$38,417 plus excellent benefits. Send resume to: City of McMinnville, Attn: Fredia Black, 211 West Colville Street, P.O. Box 7088, McMinnville, TN 37111; email: fblack@mcminnvilletenn.com. Call Jim Brock, Director of Planning & Zoning at 931-473-1204 for more information or visit www.mcminnvilletenn.com. A post offer physical and drug test are required. EOE.

CONSTRUCTION PROJECT MANAGER
METROPOLITAN NASHVILLE AIRPORT AUTHORITY. The airport authority is seeking qualified applicants for the position of project manager for construction whose responsibilities include overseeing specific construction activities; monitoring construction work and ensuring compliance with construction documents and all applicable standards, codes and guidelines; scheduling and conducting pre-bid conferences, pre-construction conferences, and weekly construction progress meetings; coordinating construction activities among all concerned parties; maintaining project files in accordance with applicable guidelines; preparing change orders and amendments; keeping records and preparing reports; coordinating material testing; identifying changes to the scope of work; ensuring construction contracts are in compliance with applicable federal and state equal opportunity legislation; coordinating activities with external and internal agencies to ensure timely completion of all projects; and compiling and analyzing technical data and preparing reports concerning a project and related activities. The position is under the general direction of the director of construction. The ideal candidate must have a bachelor's degree in civil engineering, architecture, or related field, a valid Tennessee driver's license, and must obtain security identification display area and airport operations area clearances. Related experience required, eight years in construction activities related to architecture (large renovation and new building construction) and civil engineering (concrete and asphalt pavement construction) along with knowledge of airport operations is preferred. Computer skills including Microsoft Windows, Excel, Word and PowerPoint are required. Salary range: \$65,000-\$75,000 DOQ/E. Send required application (available in the Human Resources Department) to: Human Resources Department, Metropolitan Nashville Airport Authority, One Terminal Drive, Ste 501, Nashville, TN 37214-4114. EOE.

ENGINEER I
GERMANTOWN. The city of Germantown is seeking qualified applicants for two engineer positions. The jobs require bachelor's degree in civil engineering, EIT certified preferred. The persons hired must be able to do independent evaluation, selection and application of standard engineering principles, techniques and procedures. They must be knowledgeable of all areas of civil engineering including grading, streets, storm drainage, water distribution and sanitary sewer collections systems. The ideal candidates should have the ability to work independently, manage multi-project workloads, prepare project reports, and utilize engineering software. Individuals will represent the city and must have good public relations skills. Salary: DOQ. Must possess a valid driver's license. Send resume to: Human Resource Department, City of Germantown, 1930 S. Germantown Road, Germantown, TN 38138. EOE.

FINANCE DIRECTOR
ATHENS. The city of Athens is accepting applications for the position of director of finance whose responsibilities will include directing the city's finance department operations, city tax collection, business tax license, grant administration, and both PC and AS-400 Information System

operations. The successful applicant should possess training and experience equivalent to four years of higher education with a major in accounting, finance, business administration or related field; four years of related experience; knowledge of governmental accounting practices; CPA preferred. Must be able to be bonded and must possess and maintain a valid Tennessee driver's license. Must have excellent verbal, written, and people skills. Minimum salary: \$53,983. Send required application, available through the city's Human Resource Department, with resume and references to: Human Resource Department, City of Athens, P.O. Box 849, 815 North Jackson Street, Athens, TN 37371-0849. A background check will be conducted. For more information call: 423-744-2703; website: www.cityofathensstn.com; email: rbrown@cityofathensstn.com. EOE

FINANCE DIRECTOR
CROSSVILLE. The city of Crossville is seeking qualified applicants for the position of finance director with demonstrated analytical, numerical, interpersonal communication, and supervisory skills. The position serves as the comptroller for a large public corporation, the Tennessee River Valley Career Center, with 170 employees and a \$37 million budget. The person hired must have a bachelor's degree in accounting or related field, a master's degree preferred, a CPA license or C.G.F.M. and at minimum of three years executive experience, or an equivalent combination of education and experience. A complete job description and salary range is available from the Career Center, 60 Ridley Street. Salary is competitive with a superior benefits package. Send resume to: Tennessee River Valley Career Center, 60 Ridley St. Crossville, TN., 38555 Deadline: Feb. 19. EOE.

GENERAL MANAGER
CLARKSVILLE. The city of Clarksville Gas & Water, Exceptional opportunity to lead a dynamic and well-respected organization of 278+ employees with an annual revenue exceeding \$97M. Position is responsible for the overall operation of the water, sewer and gas system, including planning, budgeting, supervision of engineering and construction, and management of staff. The successful candidate will have a Bachelor's or Master's degree in management, business, or public administration followed by 5 years of demonstrated, relevant experience managing all aspects of a utility company. Interested candidates should respond with a letter of interest, resume and salary history to: Ruth McPherson, Clarksville Montgomery County Career Center, 350 Pageant Lane, Suite 406, Clarksville, TN 37040. Phone: (931) 648-5530 or (931) 648-5564 (fax) E-mail: Ruth.McPherson@state.tn.us

SENIOR ACCOUNTANT
BRISTOL. The city of Bristol is accepting applications for the position of senior accountant who will be responsible for supervising and managing property taxes, utility billing, records management, customer service, and managing the general ledger for these areas. The position will be involved with the annual financial audit and preparation of the city's Comprehensive Annual Financial Report, and will also work with the director of finance regarding achievement of departmental goals and objectives and other accounting related projects. A degree in accountancy and a minimum of five to seven years in a related field with supervisory experience is required. A CPA is preferred. A demonstrated knowledge of Governmental Accounting Standard Board pronouncements; generally accepted accounting principles; governmental accounting, auditing, and financial reporting; comprehensive annual financial reports; and statements of auditing standards are necessary as well as ability to perform accounting and financial research. Knowledge of Microsoft Office and other related software and network programs is necessary. Skills in interpersonal communication, tact and diplomacy, keeping confidentiality, resourcefulness, and in building and maintaining effective relationships with city staff and officials are desired. Send resume and application, available at www.bristoltn.org, to: City of Bristol, Human Resource Department, P.O. Box 1189, Bristol, TN 37621-1189. EOE.

SR ENGINEERING ASSOCIATE – GIS / CAD
ALCOA. The city of Alcoa Public Works & Engineering Dept. is accepting resumes from interested persons for the position of Sr. Engineering Associate – GIS / CAD. This is sub-professional engineering work in the Computer Aided Drafting and Geographic Information System fields. Employees in this class are expected to perform, under the direct guidance of a qualified civil engineer, design duties involved in the construction, maintenance, and operation of municipal public works projects. This employee will create and maintain facility & utility GIS geodatabases that will support the PW&E Department; the employee will also assist other City departments in maintaining their respective GIS geodatabases. This is a safety-sensitive position. Salary DOE/DOQ. Successful applicants will be submitted to pre-employment physical, background check and drug screen. Excellent benefits package. Applications and/or Resumes will be accepted until position is filled. Resumes shall be mailed (no fax resumes accepted) to The City of Alcoa, 223 Associates Blvd., Alcoa, TN 37701 or email to householder@cityofalcoa.tn.gov. Applications may be picked up and delivered to same address. The City of Alcoa is an Equal Opportunity / Affirmative Action employer & Title VI compliant. No phone calls please.

Associate Profile

Tennessee Fiber-Optic Communities

Founded in 2005, Tennessee Fiber-Optic Communities is a group of individuals, organizations and municipalities organized as a business league to secure the availability and benefits of broadband and advanced communications services for the economic development of, and improvement in the quality of life for, communities throughout the state of Tennessee.

The Tennessee Fiber Optic Communities group is committed to improving the quality of life in their communities by providing access to fiber to the home for all businesses and residents within those communities.

FTTH or Fiber to the Home is a fiber-optic broadband connection linked *directly* to your home or business. FTTH is more than 300 times faster than DSL, Cable or T-1 connections. It can also be scaled up or

down at a moment's notice, so you always have the bandwidth you need, when you need it – without waiting for the installation of another line. And because FTTH can deliver more than 100 mega-bytes of information instantaneously, FTTH is virtually future-proof.

High-speed fiber-optic technology is no longer a luxury. It is a necessity. It's the economic currency of the future. And whether we're ready or not, fiber will define our future culturally, socially and economically. Asia and the European Union already have policies designed to provide high-speed access to every home and business.

The United States has yet to develop a similar policy – but without one, we're already being left behind.

The United States has fallen to 19th place in the world in per capital broadband deployment. Even more

disturbing is Tennessee's position ranked 33rd in the United States in broadband penetration in 2005, having dropped from 24th.

The importance of broadband to Tennessee's position in both national and global economies is immeasurable as it has become the foundation for all our actions both at home and at work.

From ultra-high speed internet and digital connections that will change the way we work to more television and on-demand entertainment choices than ever before, fiber to the home (FTTH) will have the greatest single impact on the quality of life in Tennessee since electric power.

And it stands to make Tennessee one of the leading economies in the United States – and the world.

For more information about our organization, please contact Ellen Bryson at 615-395-7451.

Associate Profile

Headquartered in Denver, Colorado, employee-owned CH2M HILL is a global leader in engineering, construction, and operations for public and private clients.

CH2M HILL's long-term approach to serving clients and building our business go hand-in-hand. By focusing on where our clients are heading and where our business will stand in the future, we are building an enterprise that works for every one of our clients.

With more than \$3.8 billion in revenue and 18,000 employees in

CH2M HILL: A global engineering leader

regional offices worldwide, CH2M HILL is an industry-leading program management, construction management for fee, and design firm, as ranked by Engineering News-Record (2006).

Since 1946, the CH2M HILL family of companies continues to provide clients with an array of services, staff and expertise unmatched in the engineering and IT industries.

The firm's work is concentrated in the areas of transportation, water, energy, environment, communications, construction, and industrial

facilities and has long been recognized as an industry leader and preferred employer by business media and professional associations worldwide.

For more than 40 years, we have strengthened our presence in the state of Tennessee, employing nearly 300 professionals throughout the state responsible for delivering a wide-range of engineering, consulting and construction services.

For more, visit www.ch2m.com or contact Bruce Giles at 865-765-6238 or bgiles@ch2m.com.

Ribbon cut for Cleveland Police Service Center



Photo courtesy of City of Cleveland

Members of city government including special guests attended the ribbon cutting ceremony in January opening the new \$6 million Cleveland Police Service Center facility. The 32,400 square foot facility houses training, administration, criminal investigations, criminal evidence and a city courtroom along with space for storage and archives. Crime scene tape was cut as ribbon for the ceremony and a U.S. flag that flew over the U.S. Capitol was presented by U.S. Representative Zach Wamp and a Tennessee flag that flew over the TN. State Capitol was presented by Cleveland's Legislative Delegation. In attendance along with city officials were State Safety Commissioner Dave Mitchell; Captain Cheryl Sanders, District Commander of the TN Highway Patrol; former TBI Director Larry Wallace, State Sen. Dewayne Bunch; Reps. Eric Watson and Kevin Brooks; Bradley County Sheriff Tim Gobble, and Special Agent Bob Rowland of the United States Drug Enforcement Administration

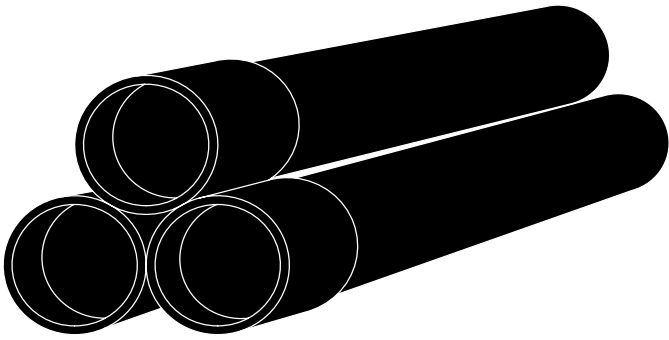
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Illegal immigration issues dominate in 2007

IMMIGRATION *from Page 1*
abling sheriffs to have this power, but I am pleased that, at least in Nashville’s case, the federal bureaucracy has moved with record speed,” added Rep. Cooper.

Since the beginning of fiscal year 2006, more than 9,000 individuals have been placed into removal proceedings by officers in 287(g) departments.

The meeting in Washington falls on the heels of President Bush’s recent proposal for a comprehensive approach to immigration reform which garnered approval from the National League of Cities.

“We strongly support the President’s commitment to comprehensive immigration reform and hope that he recognizes the impact increased immigration has on our communities every day,” said NLC president and mayor of Indianapolis Bart Peterson. “We are the ones who must provide essential services to all our residents, without regard to immigration status.”

Municipalities such as the city of Springfield, where illegal immigration has become a serious concern, could serve as an example.

“Due to employment opportunities, certain cities become problem pockets,” said Springfield City Manager Paul Nutting. Nutting attributes mass hiring of illegal immigrants by an unnamed factory in the area and greedy landlords eager to rent properties by the head count to groups of Hispanics crowded into single living quarters as the cause of 5,000 illegal immigrants migrating to Springfield.

“The park has become one of the big places to socialize,” said Nutting. “Citizens can no longer find a parking space to go to the park. They are crowding the schools, the clinics, using the ER for charitable work, and draining social services. Senior citizens no longer want to use the clinic because it is overcrowded with Hispanics. Because of the large number of children in our schools

that can’t speak English, are schools are not receiving the scores they should be and there are not enough ESL teachers to help the kids who can’t speak English. I have empathy for the immigrants. The vast numbers are good, hard working individuals. If it were hundreds instead of thousands, maybe it would be manageable, but when you can’t go to the park, use the hospital or the clinic, and children are not getting the attention they need in school, citizens are becoming appalled and are moving out. Basically, local citizens are being squeezed out of their own services by individuals who are not here legally. We can’t get federal or state government to do anything but provide lip service.”

Nutting favors some employer-sponsored benefits for immigrants in order to reduce the burden on municipalities and businesses. “The government should prove they are going to do something,” Nutting said. “The state should take care of the driving and services issues and help get these individuals on the road to citizenship with work permits or something.”

“The sovereignty of our country is so dependent upon our leaders stepping up for the issues,” said Sen. Bill Ketron (R-Murfreesboro), a strong adversary of the immigrant driving certificate program. Ketron, along with Rep. Hood (D-Murfreesboro), plan to reintroduce legislation to abolish the program altogether.

Other bills sponsored by Ketron include English-only state driver’s license exams, the requirement of two forms of ID for the initial application of tags, and U.S. citizenry requirement for notary licenses.

Out of 19, the only immigration bill to pass the Tennessee legislature in 2006 was sponsored by Sen. Joe Haynes (D-Goodlettsville) and went into effect as law Jan. 1.

That law bans contractors doing business with the state from employing illegal immigrants. The Execu-

tive Order issued by Gov. Bredezen prohibits the state or any state entity from contracting with anyone who knowingly uses the services of illegal immigrants in the performance of the contract. Contractors found in violation would face stiff penalties as well as disbarment from seeking state business for one year.

According to Municipal Technical Advisory Services (MTAS) legal consultants, cities unclear about the law’s ramifications in regard to municipal contracts would be prudent to follow the state law as well.

“The recently passed Public Chapter 878 prevents the state and its entities from contracting with persons who knowingly hire illegal immigrants,” said MTAS Legal Consultant Josh Jones. “While neither this statute nor the governor’s recent executive order never specifically mentions local governments, cities would be wise to implement a similar prohibition. Such an action would fulfill the spirit of the new law and more importantly could preempt a number of problems in the future.”

“I hope they will honor the intent of the law,” agreed Sen. Haynes. “Whether vague or not, it is preferable that all governments follow the spirit of the law.”

The passage of a controversial bill making English the official language of Nashville and Metro government related businesses has prompted a flurry of debate across the city.

The Metro Council ultimately voted the “English first” bill into law 23-14 on the third and final vote. Sponsored by Metro Councilman Eric Crafton, the bill requires governmental business to be conducted



Photo by Victoria South

Close to 6,000 immigrant rights protestors, primarily Hispanic, converged upon Legislative Plaza adjacent to the State Capitol last April

in English whenever possible except when required by federal law or when public welfare, health, and safety are at stake.

Opponents of the ruling, including the Nashville Chamber of Commerce, maintain the law is too restrictive hampering the ability of the legal immigrant work force to function in the community and bringing adverse effects to the Nashville economy.

“It means we will have to work harder to position the city in regard to economical recruitment or tourism as a welcoming, inclusive city,” said Brian Courtney chamber vice president of communications. “The Nashville Chamber doesn’t think the measure will help recent efforts to recruit international companies such as Bridgestone. The chamber supports comprehensive immigration reform on the federal level and that hasn’t happened,” continued Courtney. “That’s why we’re seeing state and local governments trying to respond to that.”

The Nashville Chamber cites enforcement challenges could prove

costly for Metro, should the constitutionality of the “English first” bill be challenged legally. “English first” is a hot topic never to have been about legal or illegal,” said Courtney. “It makes an assumption that the people coming here are not already trying to learn English.”

According to Nashville attorney Jerry Gonzales, the bill is in violation of federal law.

“Federally, there are 6 civil rights procedures that require any recipient of federal funds to provide language services to anyone,” Gonzales said. “Complaints could risk federal funds being pulled, but that’s not likely to happen.”

Gonzales stressed that any future litigation concerning civil rights violations under the measure will result from how the legislation is implemented rather than enforcement alone.

Nashville Mayor Bill Purcell has requested a comprehensive legal analysis of the ordinance, with 10 days from the council meeting to either veto it or let it become law by taking no action at all.

A Look Ahead: Organized Labor in 2007

BY MARK FLOYD
Miller & Martin PLLC

The new year will be a busy one for organized labor on many fronts, but with only one true goal: increasing union membership. While the fight is the same – to get new dues paying members – the tactics are somewhat different. The core effort in 2007, organizing, will remain.

However, the approach is not limited to the single drive for targeted employees at a distinct location. Those type of “traditional” campaigns leading up to a National Labor Relations Branch (NLRB) supervised election will be less the norm. Organized labor’s plan, approaches the drive for new members through top-down organizing, growing political influence, and legislative initiatives.

Organizing

Without question, 2006 saw the emergence of Service Employees International Union (SEIU) strategy adopted by the Change to Win federation. The thrust of the strategy is to bypass the normal NLRB-supervised secret ballot election, a process that results in only a 50 percent win rate for labor.

In its place, under the SEIU leadership, the federation and its member unions have taken an approach that targets key employers in select industry segments with the goal of obtaining card-check and neutrality agreements through a variety of corporate campaign tactics.

Change to Win’s strategic organizing center has targeted certain industry sectors that the federation believes are tied to production or services that cannot be easily relocated. These include property service groups, such as commercial cleaning businesses and security guards, retail, healthcare, transportation and warehousing, as well as food production and manufacturing.

In 2006, Change to Win launched its “Make Work Pay” organizing initiative targeting major employers within these selected industry sectors in more than 35 cities.

To date, these corporate campaigns have included a wide range of tactics, such as:

- enlisting the support of political, religious, and community leaders;
- picketing the homes, clubs, and offices of corporate executives;
- shareholder initiatives;
- attacks in the media aimed at discrediting targeted companies; as well as direct communications

with companies’ customer base through consumer boycotts, handbilling, or letter writing campaigns.

As labor makes political gains at the state and local level, the corporate pressure has come in the form of challenging applications for industrial bonds, zoning variances, and business permits. Political influence also allows unions to resist the growing trend of privatization of public services, a concept that normally results in the union losing representation status, and thus, dues paying members, in the transition from public to private sector employment.

Another emerging corporate organizing tactic is the filing of class action claims on behalf of the targeted employees. These claims, usually brought by attorneys representing and being paid by the labor organization, typically target such hot-button employee issues such as wage-hour violations, discrimination, or health and safety violations.

Similarly, in conjunction with international unions, U.S. labor organizations have brought claims under international law against U.S. companies. For example, in 2006, labor unions in Mexico, Canada, and the U.S. jointly filed charges against the state of North Carolina under the North American Agreement for Labor Cooperation (the labor provisions of the North American Free Trade Agreement). They claim, North Carolina and the U.S. are violating the treaty by denying collective bargaining rights to the 650,000 public sector state employees.

One other emerging trend worth noting is the cross-union campaign tactic. The cross-union campaign teams together labor organizations within the Change to Win federation, as well as unions outside the federation, to target a particular employer (such as Wal-Mart) or a specific industry (such as health care).

In 2007, we should see a stronger response by companies willing to fight labor’s corporate campaigns. With labor becoming more creative, companies are beginning to think outside of the box as well. For example, last year’s UNITE HERE’s postcard campaign targeting patients and prospective patients of one hospital chain’s maternity ward resulted in a \$17 million judgment against the union for defamation.

Union spending on federal, state & local races

The last two or three federal election cycles have demonstrated

organized labor’s willingness to pour millions of member dollars into the election process. By some reports, the total contribution to Democrats and liberal 527 groups during the 2006 mid-term election cycle topped out around \$100 million. There is an emerging trend to use members’ money in state and even local elections as well.

For example, unions pumped hundreds of thousands of dollars into last year’s Fresno, California Unified School District campaigns.

In Boston, three unions spent \$3.9 million supporting pro-labor candidates for state office. The result of these efforts, and others like it, allows Labor to push an agenda at the state and local levels has yet to find success on the national stage, agenda items such as minimum wage increases and even card-check procedures for public employees.

There has been some attempt to regulate the free-flow of union money into political races. This year, the United States Supreme Court will address whether public employee unions must receive permission before spending dues on political causes. The state law also requires a refund of any dues money spent on political activity with which the member disagrees. The AFL-CIO and the Change to Win federation filed a joint brief with the Supreme Court against the Washington state law arguing the regulation unfairly restricts the rights of unions to contribute money as they determine to be in the union’s best interest.

Legislative

Taking full credit for putting the U.S. House and the Senate in the hands of the Democratic party, organized labor is now looking for a return on that investment. As the chair of the Change to Win federation, Anna Burger, pronounced in a Jan. 4, 2007 release, “it’s time for the new Congress to live up to its end of the bargain.”

The agenda includes the following:

Employee Free Choice Act.

The “card check” bill, as it has been called, is “top priority” in labor’s legislative agenda. House Speaker Pelosi has promised the new Congress will move quickly to address labor’s interest in the bill.

Under the bill, the private, NLRB-supervised secret ballot is replaced. In its stead, a procedure allowing a union representational rights simply by producing union cards signed by a majority of the targeted workers. There is little, if

any, effective protection against union intimidation, threats, misinformation, or outright coercion is being used in getting an employee to sign a union card.

With secret ballots, the union win rates traditionally are around the 50 percent mark. The AFL-CIO reports more than 80 percent of newly organized employees are the results of neutrality (or “gag” provisions prohibiting the employer from expressing any view about unionization to the employees) and card check agreements. In 2005 alone, the AFL-CIO reported gaining more than 150,000 new union members through card check procedures established with employers. Likewise, Change to Win member unions have increasingly relied upon card check agreements to boost membership.

Getting the card-check bill passed will be a challenge. First, 75 percent, of Americans favor the present secret ballot used in NLRB supervised union elections, according to the non-partisan Opinion Research Corp. Second, even if labor is able to maintain 100 percent of the sponsor’s support, currently there are not enough votes in the Senate to stop a filibuster or in either chamber to override a veto. The issue will remain a major priority for labor through the 2008 presidential race.

Organized Labor is not alone in this battle. The proposed bill taking away the individual right to vote has also found support in the editorial pages of the *People’s Weekly World* and has garnered the endorsement of the Communist Party, USA.

One other aside, while labor endorses the idea of doing away with secret ballot elections when it comes to getting in, it remains supporters of the NLRB supervised secret ballot process when it comes to voting a union out.

Minimum Wage. Labor-sponsored measures to increase minimum wage have had some success at the state levels. Now, with the Democrats in control of the U.S. House and Senate, labor returns to Congress in an attempt to push for a nation-wide increase.

The House will likely move first on the minimum wage issue. The House plan, supported by the AFL-CIO as well as groups like ACORN, raises the federal minimum wage from \$5 to \$7.25 an hour by 2009 in three steps.

The anticipated battle will come in the form of proposed amendments. Past efforts to raise the minimum wage have failed largely as the

result of Republican-sponsored amendments including tax breaks for businesses. President Bush’s support for any current attempt to increase minimum wage has been tied to the existence of tax as well as regulatory relief for small business.

Health Care. A comprehensive proposal for healthcare reform is pending. The proposal is sponsored by Sen. Wyden and has the support of SEIU President Andy Stern. The new chair of the Senate Education, Labor, and Pensions Committee, Sen. Kennedy, has promised to make health insurance reform and the push for universal health care a primary objective, again garnering the support of organized labor in reaching this goal. The Healthy Families Act, another union backed health care related bill sponsored by Senator Kennedy, may likewise find itself the subject of debate in the coming legislative session. This bill would require employers with 15 or more workers to provide seven paid sick days a year.

Immigration Reform. Organized labor, or at least the AFL-CIO, is expected to resist President Bush’s announced plan of comprehensive immigration reform. At issue is labor’s opposition to the “temporary guest worker program,” a core component of the president’s plan. The U.S. Chamber of Commerce has said business would not support any reform that does not include a good temporary worker program. In the past conservative Republicans had blocked effective consideration of any attempt at comprehensive reform. With a Democratic controlled House and Senate, reform opposition by the AFL-CIO, a core constituencies of and significant contributor to the Democratic Party does at least complicate the matter.

Trade Agreements. The AFL-CIO, along with certain advocacy groups, is mobilizing support to mandate that trade agreements negotiated and entered into by the United States carry rules regarding employees’ rights to organize and form unions as well as environmental protections. In addition, organized labor is pushing provisions which would repeal tax breaks and subsidies that, at least in its view, are seen as encouragement for corporations to send work outside of the country.

Going into 2007, employees in all industry segments as well as all geographic areas must be vigilant and prepared in addressing organized labor.

Rep. Doug Overbey, knows local government/state priorities

BY GAEL STAHL
Editor

With the state Senate speaker and the House minority leader from Blountville and Bristol respectively, and both Republicans, one has to wonder if there is something going on in the air or water or whatever makes politicians out of upper East Tennessee so vigorous and tenacious.

Back in the late 1700s, that milieu produced legendary giants with hustle, the likes of William Blount, John Sevier, and Andrew Jackson who muscled together a state with grass-rooted, rock-ribbed energy. For 200 years, the state's political framework has predominantly been the Jeffersonian/Jacksonian Democratic Party – more or less..

In the last few years at the turn of a new century, the state's third century, a new cycle of state stalwarts seems to be arising with a bit of the same gritty resoluteness of character and energy out of that relatively small part of the state. They work in the framework of the ever evolving Republican Party. While they are not creating a new state, there does seem to be something of a shift in influence arising out of the east.

A native of that area is Doug Overbey, who was raised and spent his developmental years, nearly half his life, in Kingsport before moving to practice law in Knoxville. He won election to the state legislature at the beginning of the new century, taking office in 2001. He is a former Blount County commissioner and currently serves as Alcoa city attorney. While not holding a party leader position, he is highly respected by his General Assembly colleagues on both sides of the aisle.

Born in Kingsport in December 1954 and raised there, Doug Overbey's father is a U.S. Navy veteran of World War II and Korean War and worked for 44 years at Eastman Kodak in a pilot plant that ran test batches for various products including methanol, methyl acetone, and photographic chemicals, WWII explosives, and in the 1950s, acetate yarn. His mother, worked for Eastman Company 1943-1947 and, after her marriage, was a homemaker for her husband and two sons.

Overbey has always been a high achiever. He graduated from Dobyns-Bennett High in 1972 where a major influence on his future was a special woman, debate and theater teacher Nancy Pridemore. Looking back, he sees how her program played a major part in developing some skills that would prove useful. He earned his B.A. degree from Carson-Newman College in Jeffer-son City, graduating magna cum laude in 1976. He also graduated top of his class at the University of Tennessee College of Law in 1979.

He apparently worked just as studiously between semesters as he did during the school year. The summer after high school, he immediately went to work at Ridgecrest Baptist Assembly in Ridgecrest, N.C. After his first year of college, he did shift work at Eastman, the same kind of work his father had done. In 1973, Eastman was still making 85 percent of domestic cigarette filters out of a liquid chemical that turned into a fabric that came down the line in continuous strands. Overbey and a partner boxed them into bales to be shipped to the various cigarette companies that transformed them into the filter tips of their various brands. For most of 1974 he worked in Washington, DC, as an intern for Congressman Jimmy Quillen and the next summer studied French in France.

He married during law school and lived for two years on campus in married student housing. When he graduated in 1979, he was named to the Order of the Coif and Phi Delta Phi's Graduate of the Year. He worked in a law firm from 1979 to 1982 when he cofounded the firm of Robertson & Overbey. That same year, he was elected Blount County commissioner and served until 1990.

He has served as a member of the House of Delegates of the Tennessee Bar Association and has been a presenter at various continuing legal education seminars. He has been president of Maryville Kiwanis, the United Way of Blount County, and a board member of the Blount County Chamber of Commerce.

He was a member of the Maryville College Board of Church Visitors and is on the board of Blount County Children's Advocacy Center and A Secret Safe Place for Newborns of Tennessee. A member of St. Andrew's Episcopal Church,



But, it would be irresponsible to enact a [BEP] change that would hurt the systems that are performing well.

he served as Chancellor of the Episcopal Diocese of East Tennessee. He is the only lay person ever to be elected to serve as president of that diocese's Standing Committee.

Overbey has also experienced political defeat. After taking a break from politics on leaving local government in 1990, he ran for the House seat that incumbent Townie Anderson vacated in 1994. With six in the primary, Overbey came in second, about 17 votes shy. There was an election machine snafu and a recount, an altogether surrealistic experience for a man used to success and achievement. He threw himself back into the practice of law and civic pursuits and put political office out of mind. But, when another opening came in 2000, he ran, won, and has been reelected three times since.

In the General Assembly, Overbey is in his seventh year representing the 20th House district – since January 2001. In all four terms he has served on the Health & Human Resources Committee and three terms on the powerful Finance Ways & Means Committee. He has also served on the Budget Subcommittee, Calendar and Rules, the Select Committee on Ethics, and the Select Committee on Children and Youth, and as chairman of the House Health Care Facilities Subcommittee and of the Tennessee Arts Caucus.

Doug and Kay Overbey married on Dec. 30, 1995. They have a blended family of three daughters by previous marriages. Kay's daughter Hannah is a senior at East Tennessee State University. Doug's daughter Kathleen, the oldest, works for First Tennessee Bank in Franklin and will marry in May. Kathleen is a 2005 graduate of the University of Alabama. His youngest, Elizabeth, is in her last semester at the University of Alabama.

TT&C: You were in Washington during the Watergate hearings and Nixon's impeachment?

DO: The death of President Gerald Ford brought a lot of memories back from that summer of 33 years ago. I started working for Mr. Quillen as an intern through a Carson-Newman program in January of that year. He kept me on during the summer. I was there when Richard Nixon resigned the presidency. Congressman Quillen made it possible for me to be on the floor of Congress when Gerald Ford first addressed a joint session as president.

I remember the Washington Post headlines and still have them somewhere: Aug. 6, "Nixon won't resign." Aug. 7, "Nixon resignation near." Aug. 8, "Nixon resigns." It was quite a time to be in that environment.

TT&C: How did you happen to study in France between your junior and senior years?

DO: A scholarship from Rotary gave me that opportunity to study at the Universite' d'Aix en Provence in France. It's a huge French university where I spent the summer of 1975 studying French in a gorgeous ancient Roman town that is about 30 miles north of Marseilles. In Aix you are in the impressionist painter Cezanne's milieu. He painted dozens of canvases of Mont St. Victoire just northeast of town. I went out there a lot and remember Bastille Day in Aix, the parades down the main boulevard.

TT&C: Was French your major?

DO: My children, who are in college, don't believe me, but I graduated without a major. At that time, Carson-Newman had a program called individual direction. You could take any course you wanted to at any time you wanted to. It was like a self-directed liberal arts major. I probably had enough hours to major



I think the [open records and open meetings law affecting local governments] has served well.

in political science, speech, and French, along with some history and economics and philosophy thrown in. It was an excellent preparation for law school.

TT&C: Did anyone especially influence your future career?

DO: I give a lot of credit to my high school teacher and debate coach, Nancy Pridemore. She is now deceased, but that little old lady with coal-black hair was a spitfire. If you felt lazy or tired or just didn't want to do it, it was she who would say to you: Come on, you can do this, you ought to do this. She challenged us to challenge ourselves.

I wasn't thinking of going to Carson-Newman, but they offered me a scholarship to be on the debate team. After my freshman year, the debate coach left, and I didn't have the same rapport with the new one. I debated that one year and was fortunate to be elected freshman class president. In my junior year, I became, as best I know, the first junior to hold the office of student body president.

TT&C: Graduating at the top of your class must have helped your job search after college.

DO: In 1979, I joined the Knoxville firm of Fowler and Robertson, the firm of Claude Robertson who ran for governor in 1970 and lost to Winfield Dunn in the primary. I had no idea he had been party chairman and candidate for governor when I interviewed to work as a law clerk for the firm while in law school. It was the largest or one of the largest firms in Knoxville at the time.

Three years later, in 1982, when Robertson and three partners started their own firm, they asked me to join them as Robertson, Williams, Ingram, Faulkner and Overbey. The other four have passed away leaving me the lone survivor. I miss them but, I think they'd be pleased with how we tried to maintain the firm. We have ranged from seven to nine members the entire time doing a broad range of civil, commercial, and corporate litigation. I owe a lot to my partners for my presence here today – not only the forming partners but also my present partners for allowing me the opportunity to be in Nashville five to six months of the year.

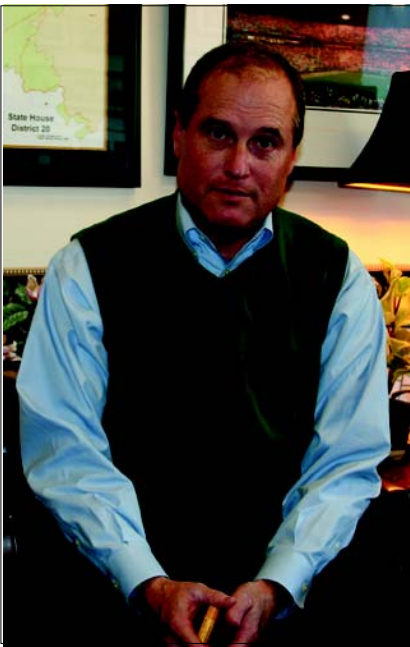
TT&C: Did your partners encourage you to run for county office?

DO: No, they probably were not very excited having the new kid on the block taking time away from the practice to campaign for a local government office. I did it, I think, because working for Jimmy Quillen put the bee of public service in my bonnet. I saw then what you can do for your constituents. I did enjoy being a county commissioner for eight years. I just thought that by then I'd made my contribution and did not seek reelection in 1990.

TT&C: You cofounded A Secret Safe Place for Newborns of Tennessee, Inc. What's that?

DO: I'm very proud of that. In 2001, the legislature passed what some people called the "abandoned babies" bill – the Secret Safe Haven Bill – to give pregnant women a safe place to leave babies they don't want. The 2001 law provided a medical facility for them and outlined the obligations of doctors, walk-in clinics, emergency rooms, and public health departments on turning the babies over to the state Department of Children Services for care and placement.

Two Blount County women, Shawna McConnell and Lisa Yount, along with former Sen. Bill Clabough and Rep. Joe McCord and I in the House incorporated a not-for-profit organization called a Se-



Photos by Gael Stahl
Perhaps increasing the tax on cigarettes to increase revenue would be a good way to help our trauma centers.

cret Safe Place for Newborns of Tennessee. The 2001 law provided a place and gave the obligations of doctors and health facilities, but it didn't provide for disseminating this information to pregnant women, so we formed this organization to spread the good news about this secret safe haven option.

The organization provides the information packages with instructions about the law and disseminates them to middle and high schools and colleges, and healthcare providers. They started a television commercial on Feb. 7. We just celebrated our fifth anniversary. There was one safely abandoned baby in 2004, and DCS had two in 2005 and two by August 2006. Four babies in 2005 and one in 2006 were unsafely abandoned.

TT&C: You sponsored the Tennessee Medical Association proposal for malpractice reform that was defeated 13-16 in the Senate. Will you try again in 2007?

DO: I ran the bill in the House Civil Practice and Procedure Subcommittee where it was defeated 4-3. Once it was defeated in the House subcommittee, it didn't come up for a vote in the Senate Judiciary Committee. The vote you are referring to was when they attempted to add it as an amendment to Gov. Bredesen's Cover Tennessee legislation.

I have been asked to sponsor the bill again this year. I intend to do that. We worked on that important piece of legislation a long time. A lot of people look at it from the standpoint of insurance rates or medical malpractice insurance. I look at it more from the viewpoint of access to medical care. I don't have the statistics at hand right now, but many Tennessee communities do not have an obstetrician or birthing specialists. I think this legislation is a matter of providing my daughters, our children and grandchildren, with ready access to medical care and treatment.

TT&C: The TML Risk Management Pool would have an interest in that bill. Do you or your law firm have a personal interest?

DO: Some of my sisters and brethren at the bar have a different point of view. They don't think Tennessee is in crisis, that we don't have runaway juries and it's not yet the problem in Tennessee it is in other states. I just think it is time for us to get ahead of the curve, not let it become a desperate situation before we do something. There are already instances of physicians, especially specialists, leaving Tennessee or being recruited to go to a state that has malpractice reform.

TT&C: What is your tack on tort reform in general?

DO: I think that eventually we need to look at the whole canvas. But right now, I'm concentrating my efforts on one part of it, the medical malpractice reform portion of it – and just one part of that, access to healthcare for our children and grand children who need obstetricians, neurosurgeons, and cardio physicians.

That is my focus, but in 2006, I did sponsor and pass the Silica Claims Priority Act that deals with a portion of the tort reform issue by making some changes in claims filed for silicosis. A lot of claims have been filed in Texas for silicosis- caused breathing illnesses. We reached an agreement with some of the trial lawyers and amended the bill. Everybody saw the need to keep real injuries and health-linked priorities moving through the system, but we don't need to clog the system with non-meritorious claims. The major issue was certification from competent medical authority. It

passed and was signed by the governor.

TT&C: Proposed changes to the BEP is of major concern to many cities, certainly those in your district.

DO: Some of the proposed changes in the BEP are of great concern to the city councils of Maryville and Alcoa. Some proposals to change the fiscal capacity index would cause them to lose a couple of million dollars. Blount County might gain a little but not enough to offset municipal losses. In the next two or three years there will probably be some changes in the BEP formula. But, it would be irresponsible to enact a change that would hurt the systems that are performing well.

TT&C: What about lowering the sales tax on food?

DO: It is going to be an issue. While we have to take a long look at it, we also have to be fiscally responsible. At first blush you say, of course, we need to take the sales tax off food. But as a member of the Budget Subcommittee where we've got ultimate responsibility to present a balanced budget, we would have to see where the funds would come from to replace whatever is removed from food. One of the proposals advanced last year on removing the sales tax on food amounted to about \$7 a month for a typical family. Last year, our advisors in the Comptroller's Office were asking why would you remove the sales tax from one of the most stable parts of your sales tax base.

TT&C: How does the Budget Subcommittee decide which fiscal bills get funded? Do you do the bidding of the leadership or weigh needs?

DO: It is a heavy responsibility to be part of the budget subcommittee, to recommend a balanced budget to the Finance Committee and then to the entire House. We sift through a lot of good ideas that we can't afford to fund in trying to present a balanced and fair budget. Members take the responsibility seriously. There is a lot of give and take.

We're not told to do this or don't do that as directed from the top down. The members would not react well to that. We respect one another's opinions, but even members of the Budget Subcommittee have bills that don't get funded. Members try to be as fair as possible to all.

I have no idea what percentage of bills get funded, but as we get down near the end of the session, I'd say hundreds of bills are put "behind the budget." At times, there has been no funding for bills that were outside the governor's proposed budget. This past year was a little different, and we were able to fund some projects beyond those in the governor's budget or proposed budget amendments.

TT&C: What's your position on the new constitutional amendment that allows local governments to cap property taxes of seniors?

DO: I think it is an option for cities and counties to decide whether or not it is desirable for them. In a lot of ways, our local governments are asking for more options, broader powers. This was a constitutional amendment. I saw no reason not to put it before the people. It is another empowerment for local governments to decide whether it will work for them.

TTC: What about changing the open records and open meetings law affecting local governments?

DO: I think the law that is on the books has served well. As to whether it needs to be strengthened or not, I'm not going to get ahead of the committee that's been charged by the General Assembly to study it and report.

TT&C: How has the ethics bill changed things on Capitol Hill?

DO: It has changed the culture. Rather than being in the back of everyone's mind, it's in the forefront of everyone's mind, whether we're in Nashville or back home. That's a positive thing. The business of the legislature has to be done up front in our public sessions so that people can have confidence that the decisions are being made for the right reasons. It doesn't mean we all have to agree on what decisions need to be made. We are 132 different members of the General Assembly with different backgrounds and different points of view. We need to bring those points of view forward after being informed by a constituency in making legislative decisions.