

Let's do that all again, shall we? Lee launches new voucher drive

By just about any measure, Gov. Bill Lee's big first-year initiative to have state government pay for private school tuition was a disaster. Nearly five years later, the governor is back with another sweeping proposal that could make vouchers available to all million of the state's K-12 students.

After first proposing a wide-ranging voucher program in 2019, the Lee administration quickly had to backtrack and downsize the effort to even get it to floor votes. The Education Savings Accounts then nearly crashed and burned in the House, only to be rescued by pressure tactics — including alleged inducements — by then-Speaker Glen Casada.

While Casada tried to assuage members that the emotional debate surrounding the voucher bill was the kind of issue that “flares up for a week or two” before blowing over, the Franklin Republican's speakership would essentially come to an end four days before the law went into effect, as his caucus overwhelmingly voted it had lost confidence in his leadership (a racist and sexist text messaging scandal also played heavily into the outcome.) When he officially stepped down a few months later, Casada became the first state House speaker to fail to finish his term in 126 years.

Meanwhile, the voucher program got tangled up in the courts for three years after a judge found the “horse trading” involved in getting the measure passed had resulted in a law that violated the Tennessee Constitution's home rule protections because it applied only to students in the Nashville or Memphis-Shelby County school districts. It wasn't until last summer that the state [Supreme Court in a 3-2 decision](#) allowed the Education Savings Accounts to get underway. But the public response has been tepid.

Now in its second full academic year, just 1,972 students have enrolled in the voucher program in Shelby, Davidson, and Hamilton counties, a far cry from the 5,000 per year that supporters envisioned — and about 600 less than the number of students state Education Commissioner Lizzette Gonzalez Reynolds touted during recent budget hearings as having been approved to participate in the program.

The average household income for an approved family of four has been \$38,000, well below the \$91,364 maximum. *The Tennessean* has reported that students in the voucher program scored worse than their peers on standardized

tests this year, though officials said those results followed from targeting students at poorly performing public schools.

Déjà vu all over again. Lee clearly underestimated the bipartisan resistance to school vouchers when he first introduced his legislation in 2019. The new governor wanted to make the program available in any county where at least three schools ranked in the bottom 10% in the state, but lawmakers balked at making their home areas eligible down the road. The final version of the bill went so far as to include a reverse severability clause, under which the entire law would become void if a court ruled the program should become available statewide.

Lee's latest proposal would also include homeschoolers, an element of the 2019 bill that was quickly withdrawn. Another provision that was tossed overboard would have made vouchers portable across the state if families were to move out of Nashville or Shelby County.

According to the broad strokes of the latest initiative, 20,000 children from around the state would qualify for a \$7,075 voucher in the academic year starting in August 2024. Half of the awards would be reserved for children from homes earning less than three times the federal poverty level, or \$90,000, for a family of four. The remainder would be made available to any student entitled to attend a public school. The following year, the program would open to anyone who wanted to participate (with the caveat that enrollment might be limited “if demands exceed available funding.”) Some back-of-the-envelope math reveals that the first batch of 20,000 students alone would cost \$141.5 million per year.

Why now? Almost immediately following his surprise win of the Republican gubernatorial nomination in 2018, speculation has run rampant around the state Capitol about who will succeed Lee as governor. His re-election last year may have come easy, but it only propelled him even further into lame duck territory. The closer Lee gets to 2026, the less political capital he will have left at his disposal. So, the reasoning goes: He better try to do something big now while he still carries some clout around the Statehouse.

Add to that a significant turnover in the House along with the election of several school choice supporters, and

the circumstances may never be better for Lee to achieve his voucher dreams. Thirty House seats have changed hands since [the 2019 voucher bill](#) was on the floor, including nine held by Republicans who did not vote for the measure.

The voucher bill was infamous for the 49-49 vote it received when it reached the House floor in 2019. Casada kept the board open for 40 minutes as he and his lieutenants furiously worked to get at least one opponent to change their mind. They finally succeeded when Rep. Jason Zachary, (R-Knoxville) flipped to yes from no after he was assured that Knox County would be excluded from the law. The lone Democrat who backed the measure, then-Rep. John Deberry of Memphis, is now a member of the Lee administration and was featured in the hype video for the latest plan unveiled at a rally at the Tennessee State Museum this week.

Fast-forward to this year and Zachary was the sponsor of an amendment to add Knox County to [a bill expanding the voucher program](#) to Hamilton County. While the Senate refused to go along with adding Knox, both versions of the House measure received 57 votes from Republicans — a comfortable margin, but hardly the slam dunk in the 60s or 70s that GOP measures routinely receive in the chamber.

When the 2019 bill cleared the floor with the bare minimum, 49 Republicans voted yes and 23 voted no. Sixteen Republicans declined to vote for the expansion bill this year. Five GOP members who had opposed the original voucher bill flipped to supporting the expansion: Mark Cochran of Englewood, Patsy Hazlewood of Signal Mountain, Lowell Russell of Vonore, Kevin Vaughan of Collierville, and Dave Wright of Corryton. But two swung from yes to abstain: John Crawford of Kingsport and Jerome Moon of Maryville. Four members who joined the House since the 2019 vote did not vote for the expansion: Tandy Darby of Greenfield, Brock Martin of Huntingdon, Kevin Raper of Cleveland, and Todd Warner of Chapel Hill.

If you can't beat 'em ... Rep. Cameron Sexton (R-Crossville), who took over as speaker following Casada's resignation, voted against both the original voucher bill and this year's expansion. And yet he was front and center when Lee announced the new proposal. Why the about-face? Sexton said he was persuaded by the funding for the vouchers being sourced from outside the regular school formula and backed the idea that family income shouldn't matter.

But political considerations probably played at least as big a role. Being among a shrinking minority on vouchers in his caucus may have become untenable. And with a decision on a 2026 gubernatorial bid looming, Sexton might not want to upset deep-pocketed school choice groups. On the other hand, opponents will almost inevitably attack him for flip-flopping one of the more controversial issues to face the Legislature in the last decade.

Another factor for Sexton's change of heart may have been that his chief political adviser, Chip Saltsman, is also a longtime voucher supporter. Arkansas Gov. Sarah Huckabee Sanders, another Saltsman client, also featured at Wednesday's rally, struck a partisan tone, calling the universal vouchers part of a "conservative education revolution."

Outlook. The voucher expansion appears to be Lee's to lose, but public school proponents have shown a knack for

mobilizing wider support than their rivals expect. Lee may have weakened the Tennessee Education Association, the state's largest teachers' association, when he got lawmakers to do away with automatic paycheck deductions to pay membership dues. But with an election year looming, lawmakers will want to avoid upsetting a key constituency.

For legislators who either attended the launch rally or spoke about the idea afterward, a common description of the governor's proposal was that it was a "starting point" — not least because of the high price tag involved at a time when the state's revenue collections are coming back down to earth after several banner years. In other words, don't expect the final version of the Education Freedom Scholarships to become quite the free-for-all described in [the glossy materials](#) distributed this week.

Political roundup

Influential lobbyists retire, court finally rules in redistricting case

The Farm Bureau's Rhedona Rose and AT&T's Joelle Phillips, who have been at the center of some of the General Assembly's biggest lobbying battles in recent decades, are retiring from their respective posts.

Rose [ends a 37-year career](#) with the Tennessee Farm Bureau at the end of the year. She began as an intern in 1986 and worked her way up to director and chief lobbyist by 1995. Rose was named executive vice president of the influential group at the end of 2010 and chief administrative officer in 2017. The Farm Bureau has promoted Brian Wright, the director of the group's membership division, as Rose's successor as executive vice president.

Rose had some built-in advantages over the years. Her brother, now-U.S. Rep. John Rose (R-Cookeville), was agriculture commissioner during Gov. Don Sundquist's administration. And her former boss, Julius Johnson, ran the department under Gov. Bill Haslam.

Phillips joined what was then BellSouth as a regulatory attorney in 2001 and succeeded Gregg Morton as president of the telecom giant's state operations in 2013. AT&T has been a major donor and host of lavish annual lawmaker receptions. At the Statehouse, Phillips fought legislative battles with the likes of Comcast, Google and municipal broadband providers. [Phillips' retirement on Friday](#) may not come as a huge surprise: she was among the applicants for a position in Gov. Bill Lee's administration unearthed by an Associated Press public records request in 2019.

Redistricting. It took nearly six months, but a three-judge panel finally issued a ruling in a case challenging the General Assembly's redistricting maps. [In 2-1 decisions](#), the jurists threw out the Senate plan but upheld the House version. The court gave the General Assembly until Jan. 31 to come up with new maps.

Bona fide challenge. A group of plaintiffs including the League of Women Voters and former Knoxville Mayor Victor Ashe is [suing the state](#) over a law requiring polling places to post signs warning voters that it is a crime to vote in a primary "without being a bona fide member" of the party in question. State law does not define bona fide status, according to the lawsuit.

Tennessee News Digest

- The State Funding Board approved a revised range of general fund revenue projections at between -0.5% to 0% in the current budget year, and set a range of -0.5% to +0.5% for the fiscal year beginning in July.
- Nissan is raising top wages by 10% for workers in Smyrna and Decherd, and Volkswagen said it will hike pay at its Chattanooga plant by 11%. While efforts to organize both automakers have failed in recent years,

United Auto Workers President Shawn Fain said employees are benefiting from a “UAW bump” following new contracts negotiated with General Motors, Ford, and Stellantis.

- Axle Logistics LLC announced a \$38 million plan to expand operations at its Knoxville headquarters and add 651 jobs.

- New business filings in Tennessee marked the highest third-quarter numbers in the 25-year history of the state’s data collections.

More than 19,300 companies registered during the most recent period.

- [Mempho Music Festival](#) organizer Forward Momentum has already stepped in to put on acts after [Memphis in May](#) canceled its annual downtown concert. Now, Forward Momentum is adding plans for a barbecue cooking contest on the banks of the Mississippi following Music in May’s decision to shift its competition to Liberty Park.

Airport appeal. Attorney General Jonathan Skrmetti [gave notice](#) that he will appeal a three-judge panel’s unanimous ruling that a state law taking over the Nashville airport board violated the state constitution’s home rule provision.

Obituary

Dick Eskind, known as ‘Mr. Jane’ in wife’s groundbreaking campaigns

Financial adviser Dick Eskind made a single foray into elected office when he won a spot in the state constitutional convention of 1977. After that, he placed his focus — and money — on supporting the campaigns of his wife, Jane, who became the state’s first woman to win a statewide nomination in 1978 and general election in 1980. Dick Eskind died on Nov. 22 at age 93.

After being elected as a delegate, Eskind launched a campaign for convention president on a platform of not being beholden to special interests and keeping a lawyer — there were 38 of them among the 99 members — from dominating proceedings. His opponents were attorneys Bill Leech of Columbia, the president of the 1971 convention, and J.D. Lee of Madisonville, a close associate of banker and politician Jake Butcher.

The election went to six ballots. In the first four, Eskind and Leech each gained 29 votes, compared with Lee’s 33. Eskind then proposed the lowest vote-getter be removed from the running and was promptly eliminated when his total dropped to 25 on the next ballot. Lee prevailed over Leech in the sixth round, 50-46.

Eskind nevertheless played a prominent role at the convention. He sponsored the resolution to delete the state’s ban on interracial marriage (the U.S. Supreme Court had earlier invalidated the provision.) The body approved the measure 85-3, though it was much closer at the ballot, with 51% voting in favor and 49% against. Eskind also sought to allow Election Day voter registration, but the measure was defeated in committee.

Eskind clashed with the legal community over a proposal to overhaul the state’s judicial system — by creating a unified court system, establishing merit nominations, and having judges run in nonpartisan elections. The biggest sticking points were provisions to allow the Legislature to stop automatic cost-of-living increases for judges and reducing their terms to six years from eight. Supreme Court Chief Justice Joe Henry spoke out publicly about what he called a legislative encroachment on the judicial branch. Eskind

served as treasurer of a campaign to drum up support for the amendment, but it was the only one among the 13 presented to voters at the ballot to fail, losing by a margin of 9 percentage points.

Lee had hoped to use his presidency of the constitutional convention as a springboard to higher office. But he fell short in his bid to challenge U.S. Sen. Howard Baker (R-Huntsville) the next year when the Democratic primary was won by Jane Eskind. President Jimmy Carter joined her on the campaign trail, but Eskind lost by 15 percentage points. Two years later, she became the first woman to win a statewide race when she was elected to the Public Service Commission and later served as chair.

Phil Bredesen in 1980 pitched Dick Eskind on a plan to acquire health maintenance organizations and make them profitable. Within 48 hours, Eskind got partners to agree to fund the project, and the company that would become known as HealthAmerica soon took off. The founders disagreed about whether to sell the company in 1986 — Bredesen wanted to keep control, but Eskind and the other investors overruled him. The deal nevertheless earned them millions that could be used to self-fund political pursuits.

Jane Eskind’s highest profile campaign came in 1986, when she battled House Speaker Ned McWherter of Dresden for the Democratic nomination for governor. Bumper stickers at the time said, “Make Her Spend it All, Ned.” Dick Eskind played an active role in the campaign, calling himself a “utility fielder and a pinch hitter” in doing everything from answering phones to serving as a surrogate on the trail. “As a matter of fact, I’m known to many people as ‘Mr. Jane,’ ” Eskind once told *Advance* magazine.

After McWherter prevailed in the primary and went on to win two terms as governor, Jane Eskind in 1987 embarked on a bid for the open 5th Congressional District seat. One of her Democratic opponents was Bredesen, her husband’s former business partner. But the nomination ended up going to Bob Clement. Bredesen would eventually be elected mayor in 1991 and governor in 2002.

Dick Eskind was a founder and major donor to the Community Foundation of Middle Tennessee in 1991. The charitable organization was run by the Eskinds’ daughter, Ellen Lehman, until her retirement last year. Eskind was one of the leaders of a 1992 movement to form a new Reform synagogue called Congregation Micah over concerns with the size and worship style of The Temple in Nashville, which refused to perform marriages between Jews and gentiles.

Tennessee Notes & Quotes

■ “I’m very optimistic that it will be done. I think the big challenge, as it always has been, is that the governor really needs to make it a priority up front.” — *State Rep. **Ryan Williams** (R-Cookeville) to WUCT-FM about efforts to apply the state shared sales tax formula for cities to a hike enacted to avert a budget crisis in 2002.*

■ **Alex Lewis**, an assistant commissioner at the state Department of Commerce and Insurance since 2019, has been named senior legislative liaison in Gov. **Bill Lee’s** office. He will report to **Liz Alvey**, who was promoted to director. It’s a reunion for Lewis and Alvey, who worked together for then-Senate Majority Leader **Mark Norris** (R-Collierville) before he was appointed to a federal judgeship in 2018.

■ The Governor’s Council for Judicial Appointments will [accept applications until Dec. 11](#) to fill a state Supreme Court vacancy. Interviews of finalists from the eastern and western portions of the state are scheduled to begin on Jan. 4. Justice **Roger Page** has announced he will step down from the state’s highest court in August.

■ The Tennessee Higher Education Commission has named **Steven Gentile** as its executive director. Gentile had served in the position on an interim basis since September. He succeeds **Robert M. Smith**, who retired.

■ **Ross Bagwell Sr.**, the founder of Cinetel Productions in Knoxville, has died at age 91. The Madisonville native got his start in television as a page for NBC, where he later became a production assistant for “The Howdy Doody Show.” After a stint with WATE-TV, Bagwell founded his advertising and cable programming business. After his sale of the company to Scripps Howard in 1994, Cinetel became HGTV. Bagwell was the father of **Dee Haslam**, the co-owner of the Cleveland Browns with husband **Jimmy Haslam**.

■ The University of Tennessee’s Division of Diversity and Engagement will soon be renamed the Division of Access and Engagement. Republican state lawmakers have long targeted diversity programs in the UT system. In 2016, they rerouted nearly half a million dollars from diversity initiatives to engineering scholarships for minorities, and then-Sen. **Mike Bell** (R-Riceville) warned of a “sword of Damocles” hanging over UT officials who pressed the issue.

■ The Chattanooga Area Regional Transportation Authority named **Charles Frazier** as its new chief executive officer. Frazier, who will start in January, was previously an executive with public transit systems in Jacksonville, Florida, and Little Rock, Arkansas.

■ Gov. Bill Lee named **Quantel Lindsey**, a Cleveland man he pardoned in 2021, to the Inmate Disciplinary Oversight Board. Lindsey once served prison time alongside his own father. Senate Speaker **Randy McNally** (R-Oak Ridge) named **Lee Frank**, the husband of Anderson County Mayor **Terry Frank**, to the panel. McNally survived a 2002 GOP primary challenge by Lee Frank by just 395 votes.

■ **Alfred Degrafinreid**, **Brent Easley**, and **Amy Owen** have been named to the faculty of Lipscomb University’s School of Public Policy. Degrafinreid is the head

of Leadership Tennessee and president-elect of the Rotary Club of Nashville. Owen is a former deputy director of the State Board of Education and a current senior director of ExcelinEd, a school choice advocacy group founded by former Florida Gov. **Jeb Bush**. Easley recently left his position as legislative director for Gov. **Bill Lee** to become president of BHA Strategy.

■ BHA Strategy was founded by **Blake Harris**, **Lee’s** former chief of staff. [Politico reported that Harris](#), who was a senior political adviser to **Tim Scott’s** now-suspended presidential campaign, will now head Fight Right, a super PAC working to support Florida Gov. **Ron DeSantis’** White House bid.

■ **Anne Marie Walp**, a senior policy advisor in the Senate Clerk’s Office for the last 10 years, was named president of the Tennessee Cable and Broadband Association.

■ State Rep. **Justin Jones** (D-Nashville) [shared a recent flight to Nashville](#) from Washington with U.S. Rep. **Andy Ogles** (R-Culleoka), while fellow state House member and U.S. Senate candidate **Gloria Johnson** (D-Knoxville) was on another aircraft with incumbent Sen. **Marsha Blackburn** (R-Brentwood). Both Democrats waited to speak to the Republicans when they left the planes. Ogles shook Jones’ hand but didn’t stop to chat. [Johnson said Blackburn declined her offer](#) to “have some fun and take a selfie.”

■ **David Kennedy**, the chief U.S. bankruptcy judge in Memphis from 1988 until his retirement in 2022, died Sunday at age 79. He was first chosen by the region’s three district judges and confirmed in 1980 by a merit selection committee of the 6th U.S. Circuit Court of Appeals, the last federal bankruptcy judge installed in that manner before a law change granted nominating authority to the president.

■ **Warren Buffett’s** Berkshire Hathaway has countersued the **Haslams** for allegedly promising secret payments to staffers at the Pilot truck stop chain to inflate the value of the company. The was founded by **Jim Haslam** and was once run by sons **Jimmy** and **Bill**. The family earlier filed a lawsuit claiming Berkshire was trying to depress Pilot’s value before buying the remaining 20% share.

■ **Garth Brooks’** new [Friends in Low Places bar](#) is getting ready to open in Nashville’s tourist district on Broadway Avenue. The establishment is notable for being attached to a police substation, which will be able to keep an eye on customers there and at other hot spots, like **Kid Rock’s** [Big Ass Honky Tonk and Rock ‘n’ Roll Steakhouse](#).

■ The government’s plans to sell the old **Estes Kefauver federal courthouse** presents the opportunity for a grandiose vision for one-stop debauchery. At nine stories tall, the building could be converted into Broadway’s biggest ass honky tonk. The parking lot, once reserved for judges, could become an entrance for party wagons, and courtrooms could be used to mete out justice to unruly revelers. Sentences could be served in the facility’s holding cells.

■ Bachelorettes, make **Kefauver** proud by trading in your cowboy hats for coonskin caps. Woooo!