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University of Tennessee purge claims head of flagship campus

University of Tennessee President Joe DiPietro alleged inadequate communication skills in deciding to remove Beverly Davenport as chancellor of the system's flagship Knoxville campus. But it may in fact have been her all-too-effective communication with Republican lawmakers about her disagreement with them over diversity issues that loomed larger in her firing.

Republicans have long expressed outrage at the annual student-run Sex Week held on the Knoxville campus and two 2015 memos calling for students to adopt gender-neutral pronouns for people who request them and avoid religious-themed holiday parties. The latter two missives were quickly rescinded, and funding was withdrawn for Sex Week activities. But lawmakers still voted in 2016 to divert \$445,882 in state funding from UT's Office for Diversity and Inclusion to minority engineering scholarships.

Sex Week, replete with seminars featuring ribald titles (tamest example: "Like a Virgin: Abstinence and Virginity"), has carried on, much to the chagrin of members of the GOP supermajority. They grilled nominees to Gov. Bill Haslam's overhauled UT Board about the matter this session. None of the trustees who served during previous renditions of Sex Week made it through the confirmation process.

Davenport, who became UT-Knoxville's first female chancellor last year (and also presided over the fiasco surrounding the Volunteers' football coaching vacancy), appeared before a joint legislative hearing in February to defend her attendance at a private fundraiser for LGBT programs after GOP lawmakers had stripped diversity funding from the budget. She demurred under questioning about whether she'd make similar appearances on behalf of students groups opposed to abortion rights, supporting gun rights, or promoting other conservative causes and interests.

Davenport said she was focused on helping the most at-risk students on campus feel "welcome and safe," including those "marginalized" based on race, ethnicity, or sexual orientation. She said she would not spend time raising money for partisan organizations or any of the other 850 student groups active on campus.

Sword of Damocles. Sen. Mike Bell (R-Riceville) denounced Davenport's answers during that meeting as "saying not much of anything" and argued the school should strive to make welcome students and their parents who come from a state where most hold "conservative values." When the UT Board was reauthorized toward the end of the session, Bell noted that lawmakers now have the power to call appointees to the mat to explain their actions — or to boot them from the board altogether. Bell warned of "a sword of Damocles hanging" over them if they stray too far off the prescribed path of what's considered acceptable.

Just eight days later, the sword fell on Davenport's chancellorship. She was demoted to a tenured professorship paying \$438,750 per year (three-quarters of what she earned as chancellor). Given DiPietro's stated concerns about her communication skills, Davenport's assignment might raise some eyebrows: Her new academic home is UT's School of Communication Studies.

Turmoil. The Republican governor has long claimed that his overhaul of the University of Tennessee governance system had nothing to do with displeasure about his thwarted outsourcing plans, the furor surrounding LGBT issues and Sex Week on the Knoxville campus, or the botched football coaching search. But the process of shrinking the number of voting members from 27 to 11 has been anything but smooth. First, the bill came perilously close to failing on the House floor. Then half of his nominees failed to clear legislative scrutiny, including all of the former members he hoped to return to the panel (lawmakers later approved two replacement nominations). And now the flagship campus is without a permanent chancellor (engineering dean Wayne Davis will serve as interim), and President DiPietro is in his last year at the UT helm.

Haslam's mantra of seeking effective and efficient governance is facing heavy challenges at UT, but he will have until the end of the year to try to shape the new leadership team and put the system back on track before he leaves office. Otherwise it will be up to his successor to sort it all out under the watchful eye of skeptical (and sometimes vengeful) lawmakers.

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Local elections

Transit bombs in Nashville vote, mixed results for lawmakers

After popular Nashville Mayor Megan Barry became embroiled in a sex scandal that ultimately led to her resignation, her ambitious — and expensive — mass transit proposal was stripped of the driving force needed to give it a chance of passage in Tuesday's referendum. Two former Nashville mayors now running for statewide office, Karl Dean and Phil Bredesen, cut a wide berth around the issue, council members who previously supported the plan splintered off, and the powerful African-American voting bloc failed to be persuaded to get behind the idea. Add a heavy flow of dark money from groups opposing transit and the result was a 64% to 36% drubbing. Voters head back to the polls this month to elect a mayor to fill out Barry's unexpired term.

In other races, four state legislators who decided against seeking re-election to run for lower offices at the local level — with much higher pay — won their party nominations in Tuesday's local primaries. Two lost.

Winners. Senate Republican Caucus Chairman Bill Ketron of Murfreesboro, who ran unsuccessfully for Rutherford County mayor three times in the 1990s, had a plurality victory in the GOP primary over two opponents in his bid for the job this year. With no Democrat on the August general election ballot, he's assured of taking office in September with a salary of \$140,000 versus the base pay of a part-time state legislator, \$22,667. Ketron will succeed the current term-limited mayor, Ernest Burgess, who is running for the Senate seat that Ketron is vacating. Rep. Dawn White (R-Murfreesboro) opposes Burgess in the August GOP primary.

Senate Minority Leader Lee Harris of Memphis trounced former county commissioner Sidney Chism in the Democratic primary for Shelby County mayor, but faces a considerably more competitive contest in the general election. David Lenoir, currently the county trustee, won the Republican nomination by a 2-to-1 margin over two intra-party rivals.

Rep. David Alexander (R-Winchester) bested two opponents in the Franklin County mayoral Republican primary. County Commission Chairman Eddie Clark was unopposed for the Democratic nomination. And Rep. Mark Gravitt (R-East Ridge) won his party's nod for Hamilton County register of deeds by a comfortable margin. He will face Democrat Vickie Schroyer, now chief deputy register of deeds, in the general election.

Losers. Reps. Roger Kane (R-Knoxville) and Sherry Jones (D-Nashville) were primary losers to veteran local officeholders in their respective races. Kane was defeated in a bid to become Knox County clerk by Sherry Witt, who is currently serving as county register of deeds. Jones lost in the Democratic primary for Davidson County juvenile court clerk to former Metro Nashville Councilman Lonnell Matthews Jr.

Former professional wrestler Glen Jacobs — who wore a mask and used the stage name Kane in that career (with no ties to the outgoing state legislator) —

was the winner of a hotly contested, three-candidate GOP primary to succeed Republican Mayor Tim Burchett, now running for the 2nd Congressional District seat. The unofficial vote totals have Jacobs defeating Knox County Commissioner Brad Anders by 23 votes.

Perhaps the most notable defeat of a local officeholder in Tuesday's primaries was Bradley County Sheriff Eric Watson. The former state lawmaker lost the Republican primary to Steve Lawson, who had resigned as head of criminal investigations earlier this year amid one of several controversies that had plagued Watson's time in office.

Legislative superlatives

Awards for the 2018 session, from a Twitter war to the hammer of Thor

Just in time for campaign mailers, the judges' votes are in for *The Tennessee Journal's* annual legislative awards. The envelopes, please...

Yogi Berra 'It Ain't Over' Award. Senate Speaker Randy McNally (R-Oak Ridge) took a philosophical approach to reporters' questions about why it was taking so long to conclude a session largely devoid of major legislative battles. McNally's response: "It's like a baseball game. It's over when it ends."

Keep Love in the House* Award. The late Rep. Harold Love, father of the current Rep. Harold Love Jr. (D-Nashville), for years used the re-election slogan "Keep Love in the House." The younger Love is running for Nashville mayor this month but is keeping the family campaign motto in reserve: If he isn't elected mayor, primary voters will again be able to decide in August whether to keep Love in the House.

Recycled Popsicle Stick Award. House Republican Caucus Chairman Ryan Williams (R-Cookeville) became the subject of much merriment last year when he sought to gauge GOP support for Gov. Bill Haslam's Improve Act by using Popsicle sticks as ballots. During this year's end-of-session fracas over student testing, Williams once again sought to ascertain the divided membership's feelings on how to proceed. Lamented Williams: "Oh, if I just had some Popsicle sticks."

Schoolhouse Rock Award. Perhaps realizing that his bill seeking to allow people to be armed just about wherever they choose was unlikely to gain much traction, Rep. Judd Matheny (R-Tulahoma) took to muttering a mantra of: "It's just a bill. Nothing personal." While the tactic didn't work (the measure was defeated unanimously in a House subcommittee vote), we can only hope more lawmakers promoting far-fetched bills will embrace a similarly parsimonious approach.

Shameless Self-Promotion Awards. This is an award that just about every lawmaker makes a hard bid for every year, but special mention goes to those running for higher office in 2018. Among the gubernatorial candidates, House Speaker Beth Harwell (R-Nashville) passed a bill seeking work requirements for TennCare recipients, and House Minority Leader Craig Fitzhugh (D-Ripley) made sure to make copious mentions of

Tennessee News Digest

- British Airways' new nonstop service between Nashville and London was getting underway Friday. Gov. Bill Haslam was scheduled to be among the first passengers as he embarks on a business recruiting trip to Britain, Sweden, Germany, Austria, and Italy. American Airlines briefly flew the same route in 1994 before ending Nashville's hub status.
- Nissan sales dropped a staggering 28% in April compared with the same

month a year ago, including a nearly 50% drop in the Altima sedan made at the Japanese automaker's Smyrna plant. Volkswagen sales increased 4.5% on strong demand for SUVs, including the Chattanooga-made Atlas.

- Sam Kennedy, the former publisher of *The Daily Herald* and a tireless open government advocate, died at age 91.
- The Stones River Group headed by former Haslam chief of staff Mark Cate

won the "Best in Show" award from the Public Relations Society of America's Nashville chapter for its work on the campaign to bring a Major League Soccer team to the city.

- Lewis Lavine, who served as chief of staff to then-Gov. Lamar Alexander in the 1980s and went on to a public relations career with a focus on nonprofit organizations, died of heart failure Wednesday at the age of 71.
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failed Medicaid expansion efforts. Among congressional candidates, Rep. Jimmy Matlock (R-Lenoir City) sponsored a bill to "defund" Planned Parenthood amid his 2nd District bid, Rep. Judd Matheny attacked a fair-grounds bill for involving a rival Republican in the 6th District, and 7th District candidate Sen. Mark Green (R-Ashland City) pursued a bill to ban sanctuary cities.

Best Twitter War Award. Reps. Jeremy Faison (R-Cosby) and Andy Holt (R-Dresden) got into a Twitter fight over Faison's medical marijuana bill that quickly escalated into a flame war, complete with "kidding, not kidding" attacks between the former roommates. Faison dubbed his hog-farming debate partner "Hammy Holt" and suggested he might benefit from taking cannabis oil, while Holt said Faison had come "unhinged" during the "#ReeferRumble." We were sad to see it end.

Know Your Audience Award. Republican Rep. Jerry Sexton seemed baffled by the stunned reaction he got for boasts that his hometown of Bean Station was the site of the "first white baby" born in Tennessee. He didn't improve matters by explaining that he couldn't think of anything much more American than that.

Thor's Hammer Prize. Rep. Gerald McCormick's gavel-handling skills earned new admiration at the Cordell Hull when the Chattanooga Republican ran out of patience with Rep. Mike Sparks (R-Smyrna) for seeking funding for a historic home in his district after the budgeting process had already been completed. McCormick first turned off Sparks' mic and then followed up with a vigorous crash of the gavel and an angry glare to match.

Most Lamented Retirement Awards. Among the parade of retirees this year, Reps. Charles Sargent (R-Franklin) and Craig Fitzhugh will be the most missed. Sargent is the longtime finance chairman, a position previously held by Fitzhugh before he became House minority leader. Both could be fierce partisans when required, but they also fostered a spirit of cooperation, fairness, and compromise over some of the larger issues facing the state. Sargent is headed into a well-earned retirement, while Fitzhugh is making a bid for governor. They will leave large shoes to fill.

Most Lamented Non-Retirement Award. When three women accused state Rep. David Byrd (R-Waynesboro) of inappropriate touching and kissing when they were teenage basketball players on the high school team that he coached as a 28-year-old, House

Speaker Beth Harwell swiftly demanded his resignation. Byrd refused and is unopposed in his GOP primary, creating an election year headache for Republicans who'd prefer that he just went away.

Courage in Resisting Poor Poetry Prize. The Tennessee Senate's insistence on performing the bizarre "Salute to the Flag of Tennessee" before the start of every floor session has long confused visitors and offended the ears of even marginal poetry fans. But the House under the leadership of Speaker Beth Harwell has steadfastly refused to follow suit. Here's hoping her successor will maintain that proud legacy.

'Congress Will Have to Do' Award. "I wanted to be president; the Senate will have to do," Lamar Alexander (R-Maryville) said in 2002. It was a joke, he said, but his opponents still used it to attack him for not being fully dedicated to his Senate bid. Republican Sen. Mark Green can't be accused of not being dedicated to wanting to be somewhere else. First it was a gubernatorial bid, which was put on hold for an unsuccessful nomination as Army secretary. Then he briefly thought about running for the U.S. Senate. And when Marsha Blackburn's congressional seat opened up, Green decided to run for that. For real this time. (We think).

Tenacity in Tennessee Lobbying Award. In a session when most lobbyist wars were settled by compromising, there was one clear win. After four years of failure in trying to reverse then-Gov. Lamar Alexander's successful push to surrender state oversight of Tennessee coal mining to the federal government in 1984, persistence paid off for the Tennessee Mining Association, represented by Chuck Laine and Roxanne Reiley. They got lawmakers to go along — and the governor to sign it into law — by convincing them that the assertion of states' rights would be covered by federal funds and by downplaying environmentalists' objections.

Top Freshman Lawmaker Award. Following controversial predecessors Curry Todd and Mark Lovell, freshman Rep. Kevin Vaughan's first term would have been seen as a success if he could simply avoid becoming embroiled in some sort of scandal. The Collierville Republican did more than that, impressing colleagues not least for his wit (singing a made-up "General Assembly Fight Song" in the Local Government Committee) and his business acumen (his part-ownership of a rodeo bull called Matrix). He also got four of his first nine bills signed into law. Not bad for a new guy.

Tennessee Notes & Quotes

■ Republican Gov. **Bill Haslam** vetoed a bill to require the state employee health insurance program to cover hypofractionated proton therapy, an alternative cancer treatment. The measure sponsored by Sen. **Mark Green** (R-Ashland City) and Rep. **Bob Ramsey** (R-Maryville) cleared the Senate on a 29-1 vote and the House by 82-13. Haslam said in his veto message that the bill circumvented the state's established process for deciding insurance coverage for state employees. Predictably, Green is demanding that lawmakers return to the Capitol to override the veto.

■ It is the fifth bill **Haslam** has vetoed since taking office. He previously turned back a bill seeking to force private Vanderbilt University to drop its policy requiring student groups to allow "all comers" to join in 2012; the so-called Ag-Gag bill seeking to make it a crime not to turn over images of animal abuse to authorities within 48 hours in 2013; a bill reducing criminal penalties on polluters in 2014; and a bill seeking to make the Bible the official book of Tennessee in 2016.

■ It only takes a simple majority in both chambers to override a veto, but the Bible bill was the only one that lawmakers have so far sought to challenge. That effort fell short in the House.

■ "If it was President **Trump**, I probably would have asked him, too." — *Stranded motorist **Belinda Drew** after requesting a jump-start at a Sevierville gas station from a man who turned out to be U.S. Interior Secretary **Ryan Zinke**, who was visiting the Great Smoky Mountains along with U.S. Sen. **Lamar Alexander** (R-Maryville) to promote parks funding.*

■ She's lucky **Zinke** wasn't riding his horse.

■ Tennessee Bureau of Investigation agents raided the offices of Claiborne County Sheriff **David Ray** in New Tazewell. Ray is a former state trooper, TBI agent, and general sessions judge who was acquitted of federal charges of taking kickbacks from poker machine operators in 1986 and received pre-trial diversion on sexual assault and statutory rape charges in 2008.

■ Former *Nashville Scene* editor **Steve Cavendish** recounted in a *New York Times* op-ed the tale of a 1995 dust-up between **Marsha Blackburn**, then the head of the state's Film, Entertainment and Music Commission, and former Gov. **Don Sundquist's** administration. After a dispute about her spending on a recruiting trip to Los Angeles, Blackburn paid the charges herself and then submitted the ashes of her burned receipts with a note: "Copy of L.A. expense report as requested!"

■ **Cavendish** reports that the torched remains have come into the possession of a staffer for **Phil Bredesen**, the former Democratic governor who will likely face Republican **Blackburn** in this fall's U.S. Senate race. It's a sign, he wrote, of lingering unease about Blackburn's candidacy among the GOP establishment.

■ "What happens to Confederate monuments or what bathrooms people use, it doesn't show up on their radar

screen. We are just playing to a piece of the base and ignoring stuff that is much more meaningful to a much broader group of people." — **Bredesen** in a *CNN* interview about Democrats' prospects in rural areas.

■ "I think that old southern Democrat now is a Republican. [Tennessee voters] value the kind of things that Republicans really stand for: families and faith and Second Amendment and religious rights." — *Republican gubernatorial candidate **Diane Black** to CNN.*

■ Global asset management firm AllianceBernstein LP announced it is moving its headquarters from New York to Nashville, bringing more than 1,000 corporate jobs to the city. Lawmakers last month passed a **Haslam** administration bill to base the state franchise and excise tax burden for "financial asset management companies" on the percentage of business they do in Tennessee. The state had no such firms as of the bill's passage.

■ The University of Tennessee is bestowing an honorary degree on aviation businessman and philanthropist **Scott Niswonger** at commencement ceremonies in Knoxville next week. The founder of Landair Services and Forward Air Corp. is the lead benefactor of Niswonger Children's Hospital in Johnson City. He is also the treasurer of **Randy Boyd's** gubernatorial bid.

■ Republican U.S. Rep. **David Kustoff** was the speaker at a luncheon of the Memphis Kiwanis club, and it became his duty, as a former club member, to recognize guests at the luncheon, calling their names out in turn and asking them to rise for brief applause. One of the guests was **John Boatner**, a Democratic candidate for the 8th District seat. "Stand up, John," Kustoff said, following that almost instantly with: "Sit down, John."

■ Former *Tennessean* reporter **Bill Carey** has released a new book titled "Runaways, Coffles and Fancy Girls: A History of Slavery in Tennessee." The book draws on contemporary runaway slave notices in state newspapers and advertisements from slave traders like **Nathan Bedford Forrest**. Carey details how slaves were given away in Tennessee lotteries and died in the construction of the state Capitol.

■ Three members of Tennessee's congressional delegation, **Black, Blackburn**, and Rep. **Scott DesJarlais** (R-South Pittsburg) signed on to a letter nominating Trump for a Nobel Peace Prize for efforts to get North Korea's **Kim Jong Un** to give up nuclear weapons.

■ Meanwhile, actual Nobel prize winner **Bob Dylan** and partners announced plans to open a distillery and "brand experience center" for their new Heaven's Door whiskey in a 140-year-old Nashville church.

■ **Glenn Jacobs**, winner of the Republican mayoral nomination in Knox County, is a former WWE wrestler known for his **Kane** persona, who performed alongside **The Undertaker** as "The Brothers of Destruction."

■ Brothers of Destruction? We thought that's what Democrats called state Reps. **Matthew Hill** (R-Jonesborough) and **Timothy Hill** (R-Blountville).