

Ky/Tenn Report

Volume 25, Number 5

August 2018

2018 Primary Wrap Up – Thursday’s primary elections set up the biggest political contests of the year, including the gubernatorial, U.S. Senate and congressional races across the state. But there were also some very interesting outcomes in state Senate and House districts that will significantly shape the direction of the 111th General Assembly. Below, TOGA takes a look at the lesser reported stories that came out of last week’s elections and what we can expect in November.

Tennessee Senate

Signed, Sealed, Delivered - Five senators sealed their election victories Thursday night. Sens. Steve Southerland (R – Morristown), Rusty Crowe (R – Johnson City) and Jeff Yarbrow (D – Nashville) were all unopposed in their races ensuring their return to the state capitol in 2019.

Sen. Art Swann (R – Maryville) will also be back in Nashville after winning a special election in District 2 to replace former Sen. Doug Overbey. Swann was appointed by the Blount County Commission in Dec. 2017 to serve the remainder of Overbey’s term after Overbey was tapped by President Trump to be the U.S. Attorney in the state’s Eastern District.

The Future is Female - A popular national narrative for the 2018 mid-terms, especially on the Democratic side, has been the rise of women candidates. Based on the results from Thursday’s primary elections, the Tennessee Senate could see four new women join its ranks – Raumesh Akbari, Brenda Gilmore, Dawn White and Katrina Robinson – to bring the total number of female Senators to eight of 33.

Three-term Rep. Raumesh Akbari (D – Memphis) won her primary against Justin Ford by a margin of 58-42%. Akbari seeks to replace Sen. Lee Harris who left the Senate to run for Shelby County mayor – a race in which he succeeded on Aug. 2.

In Nashville, Brenda Gilmore (D – Nashville) won a four-way primary to capture the Democratic nomination to replace retiring Sen. Thelma Harper. Despite Harper’s endorsement of candidate Howard Jones, Gilmore cruised to victory with more than 64% of the vote.

Dawn White (R – Murfreesboro), who has served in the state House since 2012, beat current Rutherford County Mayor Ernest Burgess to replace outgoing Senate Majority Leader Bill Ketron. Burgess enjoyed the endorsement of Ketron, but White's hard-right messaging and significant grassroots support gave her a 16 percentage-point win.

Newcomer Katrina Robinson, a self-made healthcare entrepreneur, beat long-time Sen. Reginald Tate (D – Memphis) by more than 37 percentage points to assure her District 33 Senate seat. Tate came under fire from other Democrats after he regularly voted with and for Republicans in Nashville. Pressure on the five-term senator intensified after a hot mic incident in which he said he was a "black Republican."

Tennessee House

Night of the Newcomers - With more than 25% of the House of Representatives retiring or seeking other offices, there were more than the average number of open seats up for grabs this year. Most elections had crowded fields of candidates looking to replace long-serving legislators, but some of the seats got extra attention from Nashville as those looking to fill the speaker position try to line up votes prior to January.

Chattanooga's District 30 race became an early, and then inconsequential, proxy for the House Speaker's race as Majority Leader Glen Casada (R – Franklin) and former Rep. Gerald McCormick lined up behind competing candidates. Ester Helton, Casada's choice, and Jonathan Mason, McCormick's choice, duked it out to replace Rep. Marc Gravitt in what became a focal point for legislative leaders this primary season. Helton, a nurse, got early and vociferous support from Casada and his political action committee. However, criticisms of Casada were heavy as negative ads and personal accusations piled up before Thursday's vote. McCormick's surprise resignation from the legislature in June left Mason without the weight of the former Majority Leader behind him. Consequently, Helton was able to squeak out a 140 vote win to secure the Republican nomination.

Second Thoughts - In a somewhat unusual move this year, three former legislators ran comeback campaigns seeking to return to the General Assembly. Unfortunately for them, voters rejected all of their bids.

Perhaps most notable was the campaign of the controversial former state Senator Stacy Campfield. Known nationally for his legislative and personal antics, Campfield came in third in a five-way race to replace outgoing Rep. Roger Kane (R – Knoxville). With 30% of the vote, Justin Lafferty edged out Campfield and former Knox County sheriff Tim Hutchison to become November's Republican nominee.

Former Sen. Mike Williams mounted a comeback challenge against Rep. Jerry Sexton (R – Bean Station) in District 35, but like Campfield, Williams fell short of defeating the

incumbent. Although Williams was seen as a strong contender in the race, the presence of a third challenger could have syphoned off the votes necessary for an upset victory.

After serving two terms in the legislature, former Rep. Billy Spivey decided not to seek reelection in 2016 clearing the way for Rep. Rick Tillis (R – Lewisburg) to assume the seat. However, Spivey decided to restart his political career this year and challenge the incumbent. The popular Tillis defeated Spivey by a 15 percentage-point margin though and will face Democratic challenger Scott Coffey in November.

Incumbent Blues - Two West Tennessee legislators became victims of the Improve Act on Thursday. Reps. Tim Wirgau (R – Buchanan) and Barry Doss (R – Leoma) both lost their re-election bids as voters expressed their displeasure over the legislators' support for Gov. Haslam's infrastructure plan, which included raising the gas tax for the first time in more than 25 years.

Wirgau came in more than 1,800 votes behind challenger Bruce Griffey. Chairman of the Local Government Committee, Wirgau served three terms in the House and was the first Republican to ever win West Tennessee's District 75.

Likewise, Doss served as the Chairman of the House Transportation Committee and was the lead sponsor of the Improve Act during the 2017 legislative session. Doss came under intense scrutiny by opponents during the gas tax debate for supposed business ties he had to paving companies. Challenger Clay Doggett won the District 70 contest by 906 votes and will face Jessica B. Yokley in the general.

Undecided Races - If the prospect of the Governor's, U.S. Senate and Tennessee General Assembly races weren't enough excitement for you, there are two House races that will definitely involve further drama as we speed toward November.

In the District 26 race to succeed Gerald McCormick, the Tennessee Democratic Party has filed a lawsuit trying to keep Republican nominee Robin Smith off the ballot in November and thereby assuring a Democratic win. The Democratic Party is alleging that McCormick's withdrawal violated state law and that adding Smith, a former Republican Party Chairman, to the ballot is unlawful as well. A Nashville judge allowed Democratic Party attorneys to subpoena McCormick regarding the reason for his resignation - a job related move from the Chattanooga district in which he served – and will rule on the merits of the case later this year.

Despite his sudden passing in July, Rep. Ron Lollar's (R – Bartlett) name still appeared on the District 99 ballot on Thursday. In accordance with state law, the local Republican Party had to wait until after Thursday's primary to nominate a replacement candidate.

There's no word yet on when a candidate will be named, but it is assured that Rep. Lollar will be sorely missed in the legislature.

Oil & Gas Public Hearing – Don't forget that TDEC will host a public hearing on the proposed rules regarding tank battery setbacks and landowner plugging bonds on **August 28 at 1c/2e at the TDEC Oak Ridge Environmental Field Office, 761 Emory Valley Road, Oak Ridge, TN 37830**. You can view the final redline rules on the Department's website [here](#).

TOGA previously solicited comments regarding the proposed changes from the membership and received generally positive responses to the proposed rules. If you have specific thoughts on the rules, please contact [Roxanne Reiley](#) so that your perspective can be incorporated into the association's comments. **Individuals and companies are also encouraged to respond independently to the rulemaking by the September 14 deadline.** All comments should be addressed and submitted to [Mike Burton](#).

MONTHLY DRILLING PERMITS – The monthly reports for new drilling permits for the states of Tennessee and Kentucky can now be found as PDFs in the members' only section of the TOGA website. This year's password is **Hydrocarbon2018**.
