

Why Rep. Jason Zachary changed his vote and helped the House pass Gov. Bill Lee's voucher plan

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After casting a dramatic tie-breaking vote in the House on Gov. Bill Lee's controversial school vouchers bill, Rep. Jason Zachary said he ultimately voted for the measure after receiving assurances that Knox County would be removed.

Zachary — who initially cast a no vote when the House began tallying up totals for Lee's legislation — said Speaker Glen Casada, R-Franklin, and the governor told him recently they would remove Knox County in the coming days.

"I support the premise of the (education savings accounts) but I couldn't do it unless Knox County was taken out," Zachary told reporters minutes after the chamber approved the governor's signature education bill with a 50-48 vote.

The final version of the bill the House approved includes Knox County, as well as schools in Davidson, Shelby and Hamilton counties.

Casada said Knox County would be removed from the legislation after it is approved by the Senate.

The upper chamber is expected to vote on the bill in the coming days. Its version only applies to Davidson and Shelby county schools and the state-run Achievement School District.

Both chambers have significant differences between their versions of the bill. Such differences must be worked out before the legislation can head to the governor's desk.

Casada refused to answer a question about whether Hamilton County would remain in the final version of the House bill.

While explaining his vote, Zachary denied receiving anything in exchange for changing his mind.

When asked why he didn't support an amendment from Rep. Rick Staples, D-Knoxville, that would have exempted Knox County from the ESA bill, Zachary said he didn't think it would pass.

Staples withdrew his amendment.

Zachary's vote change came after Casada held the voting board open for 40 minutes — an unprecedented move in recent years — as the chamber remained deadlocked on the legislation.

"It happens from time to time," Casada said. "Sometimes members just have to think about their vote, which is perfectly fine."

During the period between the start and final vote tally, Casada talked to lawmakers from both parties on a back porch behind the House chamber.

The speaker said while meeting with those on the porch he stressed the importance of getting children out of failing schools.

Zachary was among those to meet with Casada for the porch discussions, which reporters were prohibited from viewing.

But Zachary, who has chaired a legislative committee on open records, defended the behind-the-scenes talks while saying they offered him a chance to get the assurances he needed.

"After the board (is opened), we couldn't have that conversation. That's why we went out there and had it, without the distractions to make sure that I got exactly what we needed to get for Knox County," he said.

Rep. David Wright, R-Corryton, also said he changed his vote, which would make the final tally 51-48. But his change did not take place in time, although it will be recorded for official record keeping.

After the vote, House Democratic Caucus chairman Mike Stewart, D-Nashville, argued Casada's decision to keep the voting open-ended for 40 minutes was a violation of the chamber's rules.

"What the Republicans couldn't do legitimately, they did through trickery," Stewart said.

But Rep. Matthew Hill, R-Jonesborough, who serves as chairman of the House rules committee, offered a reminder that similar moves to keep the voting board open were made by former House Speaker Jimmy Naifeh, a Democrat.

In 2002, Naifeh once kept voting open for nearly two hours as he unsuccessfully tried to convince lawmakers to approve a state income tax.

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