

Issue Brief

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Plenty of Political Intrigue Brewing in 2007 State Election Races

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Introduction

While the national news media bombards us every day with stories about the 2008 presidential candidates, the voters in Kentucky, Louisiana and Mississippi have begun to turn some of their attention to the individuals running in their states this fall. And, judging by what has taken place so far, the state contestants are generating as much political intrigue as any presidential contenders.

This *Issue Brief* examines each of the three gubernatorial contests and the other statewide races, beginning with Kentucky, where voters will go to the polls on May 22 to select their party choices for the fall general election. In Mississippi, voters will have to wait until Aug. 7 to make their selections while the Louisiana primary is scheduled for Oct. 20. The *Brief* also briefly looks at the legislative races in Louisiana, Mississippi, New Jersey and Virginia.

Kentucky

When former three-term Congressman Ernie Fletcher became governor in 2003, Republicans in the Bluegrass State were overjoyed. Fletcher had become the first Republican in 32 years to win the Commonwealth's highest office and he quickly began to make up for lost time.

Fletcher pledged to tackle the waste, fraud and abuse he claimed had plagued the previous Democratic administrations. One of his first steps was to streamline state government, reducing the number of cabinet posts from 14 to nine. As part of that reorganization, the Department of Insurance was downgraded to the Office of Insurance, a move that did not sit well with some insurance company representatives.

In his second year in office, Fletcher succeeded in getting the Legislature to enact a comprehensive tax reform package. His popularity among voters was at an all-time high. But in May 2005, the governor's popularity began to unravel. That was the month in which Democratic Attorney General Greg Stumbo announced that he was launching an investigation into the Fletcher administration's practices with regard to the state's employee merit system. The following month, a circuit court judge unsealed a so-called "hit list" of employees appointed during

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previous administrations whose politically appointed positions were examined.

A special grand jury then handed down indictments against nine Fletcher appointees, including his deputy chief of staff. In August 2005, Fletcher granted blanket criminal pardons to his appointees, and then invoked his Fifth Amendment rights before the grand jury and refused to testify. The governor subsequently fired four of the nine indicated appointees and filed a motion with a circuit court judge to stop further indictments. That motion was denied and later affirmed by the Court of Appeals.

Finally, in May 2006, a full year after the start of the merit system investigation, the Kentucky Supreme Court ruled in a 4-2 decision that the grand jury could not issue any more indictments for offenses covered by Fletcher's blanket pardon related to the hiring investigation. At the same time, Fletcher himself was indicted for three misdemeanors: conspiracy, official misconduct and political discrimination.

In August 2006, a special judge ruled that the governor was protected by executive immunity and could not be prosecuted while in office. Two weeks later, Fletcher and Stumbo reached an agreement whereby the criminal charges against the governor were dropped and Fletcher acknowledged "that the evidence strongly indicates wrongdoing by his administration with regard to personnel actions with the merit system. Further, the governor hereby states that these actions were inappropriate and that he regrets their occurrence and accepts responsibility for them as head of the executive branch of state government."

Fletcher now faces two Republican opponents in the May 22 primary: former state representative and Congresswoman Anne Northup of Louisville and Billy Harper, a wealthy businessman from Paducah.

Northup, who spent 10 years in Congress before losing in last November's election, is considered a conservative on social issues while being a strong education proponent. Among her supporters is current Lt. Gov. Steve Pence, who has chosen not to run again with the governor and, instead, now endorses Northup. The state's largest newspaper, the *Louisville Courier-*

Journal, also has endorsed Northup, noting that "by nominating Anne Northup, Kentucky Republicans would strengthen their party's hand in the fall campaign and upgrade the quality of leadership they offer the state."

On the Democratic side, six individuals are seeking their party's gubernatorial nomination. They include Steve Beshear and Steve Henry, both of whom are former lieutenant governors; Jody Richards, the current House Speaker; W. Bruce Lunsford, a health-care executive; and two perennial candidates, Gatewood Galbraith and Otis "Bullman" Hensley, whose campaign literature often shows him straddling a giant plastic bull. State Treasurer Jonathan Miller dropped out of the race in April.

Interestingly, Greg Stumbo, the individual who launched the merit system investigation and was thought by some observers to be a rival for Fletcher's job, decided instead to run for lieutenant governor as Lunsford's running mate.

Under Kentucky law, if a candidate does not receive at least 40 percent of the primary vote, a runoff election is necessary and would take place in June.

The other race of interest in Kentucky this year is for attorney general. Four Republicans are seeking their party's nomination. They include Tim Coleman, the Commonwealth's attorney; Philip Kimball, Jon Larson and Stan Lee, the House minority whip. The Democrats have two candidates: Bob Bullock, a former assistant attorney general and Jack Conway, a former deputy cabinet secretary.

Louisiana

The Louisiana gubernatorial race became a whole lot more interesting in early March when Democratic Gov. Kathleen Blanco announced that she would not seek a second term. Blanco was expected to have a tough uphill fight to win re-election as a result of the indecisiveness she exhibited on national TV in the days immediately following Hurricane Katrina in August 2005.

The governor's announcement immediately set off speculation as to who might step forward and run

on the Democratic ticket. The person most often mentioned was former U.S. Sen. John Breaux, who stepped down in 2004 after 17 years in Congress. Breaux was well liked by Louisiana voters during his time in office and he was thought to be the one candidate who could keep the governor's mansion in Democratic hands. However, questions soon began to surface about Breaux's residency as he now works as a lobbyist in D.C. And, when Democratic Attorney General Charles Foti refused to render an opinion, arguing that the issue ultimately should be resolved by a judge, Breaux announced in mid-April that he would not be a candidate for governor.

At this writing, six individuals have indicated a willingness to be considered the Democratic nominee. They include former Republican Walter Boasso, who has served as a state senator and is the former chairman of the New Orleans Port Authority; Foster Campbell, a state Public Service Commission member; Richard Leyoub, a former state attorney general; Chris John, a former congressman; Raymond Brown, a minister and community activist; and Hardy Parkerson, an attorney.

Other possible candidates mentioned include current Lt. Gov. Mitch Landrieu, the younger brother of U.S. Sen. Mary Landrieu, and an unsuccessful candidate to unseat New Orleans Mayor Ray Nagin last year. He has not indicated yet whether he will run for the top spot or seek re-election to his current position. The qualifying deadline for candidates is Sept. 4, so it's possible other individuals could enter the gubernatorial race.

On the Republican side, Congressman Bobby Jindal, who narrowly lost to Gov. Blanco in 2003, is his party's frontrunner. Jindal reportedly has accumulated \$5 million in campaign contributions. The only other Republican candidate being mentioned at this point is John Georges, a New Orleans businessman.

Other statewide races of interest include the battle for attorney general where Democrat Charlie Foti is seeking re-election to a second four-year term. His likely Republican opponent is Royal Alexander, a former congressional aide.

State Insurance Commissioner Jim Donelon is also running again this year. Last year, he faced some stiff opposition from Republican state Sen. John David Cain, chairman of the Senate Insurance Committee, in a special election to fill out the unexpired term of former Insurance Commissioner Robert Wooley, a Democrat. This time around, Donelon is expected to run as a Republican, his party affiliation when he was a state representative.

At this writing, nobody has come forward to challenge Donelon, but that could change, depending on what he and Blanco are able to accomplish during the legislative session which runs through the end of June. They have introduced legislation that would provide up to \$100 million in tax credits to the insurance industry as a way to attract more insurers to write business in Louisiana. If Donelon and the governor succeed in improving the insurance market situation, the commissioner may be perceived as being unbeatable in the fall.

Mississippi

The biggest political question in Mississippi these days is whether George Dale, the state's long-time elected insurance commissioner, will be allowed to run for office again this fall.

In March, the Democratic Executive Committee, in a split vote, decided to remove Dale from its Aug. 7 party primary ballot because he had publicly endorsed President Bush for re-election in 2004.

Dale filed a lawsuit challenging the committee's decision and asked Circuit Court Judge Henry Lackey to consider allowing him to run as an independent. On May 14, Lackey handed down his decision, ruling that Dale's name should be placed on the Democratic primary, but that he lacked any legal authority to let Dale run as an independent.

Dale, who has been insurance commissioner since January 1976, will have two Democratic primary opponents: Gary Anderson of Jackson, a former state treasurer candidate, and Jim Rasperry of Laurel, a financial planner.

On the Republican side, the front runner for his party's nomination is state Sen. Mike Chaney of Vicksburg,

who sits on the Senate Insurance Committee. Other candidates include Ronnie D. English and Daniel Smith.

The race for governor is beginning to look more like a coronation for Republican Gov. Haley Barbour rather than an election to a second four-year term. The governor has earned nothing but kudos for his decisive leadership in the aftermath of Hurricane Katrina and should easily win re-election. However, he does have a Republican primary opponent, Frederick L. Jones of Gulfport.

On the Democratic side, four individuals are running for the Democratic nomination, although none of them has held elective office. They include William B. Compton Jr., John A. Eaves, Jr., Elmer "Louis" Fondren and Fred T. Smith.

Aside from the insurance commissioner's race, the only other statewide primary race worth watching is the Republican primary for lieutenant governor. Republican Amy Tuck is not seeking re-election, so this "open" race has become a battle between state Auditor Phil Bryant and State Sen. Charlie Ross, the legislator responsible for much of the state's recent tort reforms. State Rep. Jamie Franks is the lone Democratic nominee.

Democratic Attorney General Jim Hood is running for re-election and will face Republican Al Hopkins.

Legislative Races

Probably the most interesting legislative race this fall will take place in Mississippi, where Republicans hold a slim two-seat advantage in the Senate over the Democrats. Look for Republicans to retain control in the Senate with the Democrats maintaining their comfortable margin in the House.

Democrats are likely to retain legislative control in both Louisiana and New Jersey where they enjoy comfortable margins in both the House and Senate chambers. Republicans should remain in control in both Virginia legislative chambers.

Conclusion

What could this year's gubernatorial elections portend for the elections in 2008? The sample is too small to draw any real conclusions. Republican Haley Barbour should easily win re-election in Mississippi, while Louisiana is likely to elect Republican Bobby Jindal. In Kentucky, however, Bruce Lunsford is likely to be the Democratic nominee who keeps Republican Ernie Fletcher from winning a second four-year term.