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To: Council About Parochiaid
From: Cara Spagnuolo and Ellen Hoekstra
Date: December 5, 2008 Legislative Report
Re: Legislative Report

As Americans awoke on November 4th to the first African-American President-Elect in our history, Michigan voters could also look to major changes on a state and local level. The Democratic tidal wave forecast in pre-election polls hit Michigan dead on as Democrats picked up two U.S. Congressional seats and increased their lead in the Michigan House to unprecedented levels. Additionally, the Democratic nominee for the Michigan Supreme Court – Diane Hathaway – won an upset victory over incumbent Chief Justice Clifford Taylor. Below is a brief synopsis of Michigan's key races.

U.S. House

Incumbent Representatives Joe Knollenberg (R-Troy) and Tim Walberg (R-Tipton) were both defeated by Democratic challengers Gary Peters (D-Auburn Hills) and Mark Schauer (D-Battle Creek) respectively. In the 9th Congressional District, Peters cruised to victory in an increasingly Democratic Oakland County, winning by a 52-43 margin. The 7th Congressional District race between Walberg and Schauer remained tight into the early morning hours with the lead swinging back and forth several times as various polling locations reported in. Schauer finally took the lead for good and won 49-46.

Incumbents won all other U.S. House seats in Michigan, but the switch in the 7th and 9th districts will swing the partisan makeup from 9 Republicans and 6 Democrats to 8 Democrats and 7 Republicans. Senator Carl Levin (D-Detroit) sailed to an easy victory over State Representative Jack Hoogendyk (R-Texas Twp.), winning 62-34.

Michigan House

Democrats have increased their lead by 9 seats in the Michigan House of Representatives, going from 58 to 67. When new members are sworn in next January, the partisan makeup of the State House will be 67 Democrats to 43 Republicans. Democrats have not had such a large majority in over 30 years.

Speaker of the House Andy Dillon (D-Redford) easily defeated the recall campaign levied against him by anti-tax organizer Leon Drolet and was re-elected to a third term. Democrats increased their majority by hanging onto every seat currently held by a Democrat and capturing 9 seats held by Republicans. The “pick-up” seats were:

District 1: Wayne State University Professor Tim Bledsoe (D-Grosse Pointe) defeated Mary Treder Lang (R-Grosse Pointe Farms) in this seat currently held by term-limited Republican Ed Gaffney.

District 21: Diann Slavens (D-Canton) won over Todd LaJoy (R-Canton), the son of current Representative Phil LaJoy, by a margin of 51-46.

District 24: Sarah Roberts (D-St. Clair Shores) defeated Bryan Brandenburg (R-Harrison Twp.), the son of current Representative Jack Brandenburg.

District 32: Jennifer Hasse (D-Richmond) upset John Accavitti (R-Armada), the cousin of term-limited Representative Dan Acciavatti by margin of 51-46.

District 39: In one of the closest contests of the night, Lisa Brown (D-W. Bloomfield) overcame Amy Peterman (R-Commerce Twp.) to win this seat formerly held by term-limited Representative David Law (R-Commerce Twp.)

District 62: Kate Segal (D-Battle Creek), a former staff member for Senator Mark Schauer, beat Greg Moore (R-Athens) to win this seat currently held by Representative Mike Nofs (R-Battle Creek).

District 70: Former unsuccessful Congressional candidate Mike Huckleberry (D-Greenville) won a surprisingly decisive victory over former Engler policy advisor Tom Ginster to win this seat held by term-limited Representative Judy Emmons (R-Sheridan).

District 101: Dan Scripps (D-Leland), who nearly defeated term-limited incumbent David Palsrok (R-Manistee) two years ago, cruised to victory over Ray Franz (R-Onokama) by a 60-40 margin.

District 108: Judy Nerat (D-Wallace), who like Scripps in the 101st lost to an incumbent two years ago, also found the second time to be a charm as she defeated Mike Falcon (R-Gladstone) by racking up 56% of the vote.

Other closely watched seats included:

District 37: Vicki Barnett (D-Farmington Hills), a former mayor staved off a challenge by Paul Welday (R-Farmington Hills) to keep this seat in the Democratic column following the term-limitation of Representative Aldo Vagnozzi (D-Farmington Hills).

District 51: In one of the few bits of good news for Republicans Tuesday night, Paul Scott (R-Grand Blanc) defeated television news personality Michael J. Thorpe (D-Goodrich) to hang onto this seat for the Republicans.

District 61: Another bit of good news for Republicans was that Larry DeShazor (R-Portage) was able to edge out Julie Rogers (Kalamazoo Twp.) 51-49 to hold onto the seat vacated by Representative Jack Hoogendyk (R-Texas Twp.).

District 91: Representative Mary Valentine (D-Muskegon) faced one of the strongest challenges of any incumbent this year from Republican National Committeewoman Holly Hughes (R-Montague). After a strong campaign from both sides, Valentine was able to hold onto the seat.

District 106: Former Representative Andy Neumann (D-Alpena) returned to this seat after a six year hiatus by defeating Peter Petallia (R-Presque Isle Twp.).

Michigan Supreme Court

For the first time since 1984, an incumbent Michigan Supreme Court Justice has been defeated by a challenger. Chief Justice Cliff Taylor, first appointed by Governor Engler in the 1998 and reelected in 2000, lost to Circuit Court Judge Diane Hathaway 45-42 with 11% of the vote going to Libertarian Robert Roddis. Although the Supreme Court seats are technically non-partisan and appear on the non-partisan portion of the ballot, nominees are selected by political parties, making this a *de facto* pick-up for the Democrats.

The outcome of this race was no only surprising but also significant. The ouster of Justice Taylor breaks up the control of the seven-member court by the block of four conservative justices he led. Hathaway will join Democratic-nominated Justices Marilyn Kelly and Michael Cavanaugh, while Justices Stephen Markman, Robert Young and Maura Corrigan will continue to form the Republican-nominated conservative wing of the court. The biggest winner of the evening may end up being Justice Elizabeth Weaver, who was nominated by the Republican Party but has often dissented with her fellow Republicans. Her opinion will now be crucial in steering the decisions of the Michigan Supreme Court.

This may manifest itself most importantly in the redistricting decisions to be made after the upcoming 2010 census. Assuming that one party does not control both chambers of the Michigan Legislature and the Governor's mansion, the final decisions on new legislative maps may well fall to the Michigan Supreme Court. Had Taylor been reelected, most would have expected the court to draw a map favorable to Republican

candidates. Hathaway's unexpected victory will cause redistricting decisions and other judicial decisions to be much less predictable.

Ballot Proposals

Proposal 1- Allowing patients to be prescribed marijuana as a pain reliever easily passed, with a 63-47 percent. This proposal also makes it possible that those with prescriptions who register with the state will be allowed to grow the plant.

Proposal 2- The constitutional amendment liberalizing embryonic stem cell research laws, passed by a marginal percent of 52-48. It was opposed heavily by the Catholic Church, and Right to Life groups, and was trailing in polls up to Election Day. Yet proponents pulled out a win.

Boards of Education

As part of the Democratic sweep this election, incumbents Kathleen Straus and John Austin both kept their seats on the State Board of Education. Newcomers Dianne Byrum and Diann Woodard, both Democrats, won seats on the Michigan State University Board of Trustees, making the composition seven to one. Detroit-area Denise Ilitch and Larry Deitch, also both Democrats, were elected to the University of Michigan Board of Regents, Deitch serving his third term in this position and Ilitch her first, keeping the composition at six Democrats to two Republican seats. For the Wayne State Board of Governors, incumbent Paul Massaron and Jacquelin Washington (a social worker) also won their second terms on this board, keeping the composition at seven Democratic seats to one Republican seat.

Capitol Services Races

On a side note, we at Capitol Services want to congratulate two of our own who had electoral success. Todd Tennis was reelected to the Ingham County Board of Commissioners, and Cara Spagnuolo won her election as a Delta Township Trustee. Todd took home 69% of the vote in his race, and Cara was the top vote getter among all 8 trustee candidates. Way to go!

DPS 'First Class' Bill Passes House

We have been informed that there is a legislative effort in the House to permit Clark Durant to change his Cornerstone School in Detroit to charter schools and expand to 14 schools. Representative Bert Johnson (D-Detroit) believes that this change would make

it politically possible for the Detroit Public Schools to remain a first class school district, despite it having fallen under 100,000 pupils in enrollment this year. HB 5765, a bill to deal with the definition of a first class school district, was reported out of the House Education Committee Wednesday. The bill, which also reduces the required number of pupils to 60,000 for a district to retain first class status, passed the full House Thursday on a somewhat bipartisan vote of 59-42 with 9 members not voting. There were no amendments to the bill.

There is an obvious irony in the proposed “trade” because one of the features of DPS remaining a first class district is the prohibition against community colleges chartering in the district. The proposed change also shows how grey the line is at times between non-public schools such as Cornerstone and public school academies.

Candidate Questionnaire 2008 Update

On August 8, CAP sent out its Candidate Questionnaire to the August 5 primary winners. Capitol Services recorded the responses, and once the September 22 deadline passed all responses were posted on CAP’s website. Twenty four questionnaires were returned.

Seventeen candidates oppose, including:

- Vicki Barnett (D) district 37, Farmington Hills
- Julie Candler (D) district 40, Bloomfield Township
- Randy Young (D) district 45, Rochester
- Michael J. Thorp (D) district 51, Goodrich
- Carol Higgins (D), district 59, Mendon
- Mark Meadows (D) district 69, East Lansing
- Jessie Olson (D) district 80, Bangor
- Jeff Mayes (D) district 96, Bay City
- Joel Sheltroun (D) district 103, West Branch
- Donna Anderson (D) district 66, Brighton
- Robert Dean (D) district 75, Grand Rapids
- Albert Abbasse (D) district 72, Cascade Township
- Tom Clark (D) district 88, Plainwell
- Bruce Hawley (D) district 73, Rockford
- Woodrow Stanley (D) district 34, Flint
- Rebekah Warren (D) district 53 Ann Arbor
- Ellen Cogen-Lipton (D) district 27, Ferndale

Seven candidates support, including:

- Timothy Kachinski (R) district 13, Southgate
- David Micola (R) district 27, Ferndale
- Charles Ybema (R) district 60, Kalamazoo
- Arlan Meekhof (R) district 89, West Olive
- Paul Opsommer (R) district 93, DeWitt
- Hugh Crawford (R) district 38, Novi
- David McNeil (R) district 22, Taylor