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To: Council About Parochiaid  
From: Cara Dobie  
Date: December 7, 2012  
Re: Legislative Update

### **Education Achievement Authority Bills Still in Committee**

The House Education Committee has yet to vote on House Bill 6004 and Senate Bill 1358, the bills which would create the Education Achievement Authority (EAA). So far, the Committee has come up with several substitutes for the legislation that they feel address the multiple concerns from the education community. The latest version of HB 6004, Substitute H-3, would establish a set of standards for assigning schools to the EAA, thereby also outlining the process of how a school would be released from its 'home' school district.

### **Election 2012 Wrap-Up**

It is hard to attribute movement in the State House of Representatives to large Democratic success at the "top of the ticket;" though Dems picked-up a number of seats and narrowed the gap to 59R – 51D (formerly 64R – 46D), Republicans kept a few toss-up seats and saved a few "at-risk" incumbents. The final result was consistent with what many pundits had predicted, a 5 vote "pick up" for Democrats.

Here's how some of the must-see races panned out:

- **President:** In Michigan, Obama carried 53% of the vote to Romney's 45 ¾ %. Although he still did well in Michigan, the President did not win by quite as large of a margin as he did in 2008 when he took nearly 75% of the vote. Because of that difference in margin of victory, Obama's coattails were not as long yesterday as they were four years ago and did not affect "down-ticket" as greatly.
- **U.S. Senate:** Senator Stabenow won nearly 58% of the vote against former Michigan Congressman Pete Hoekstra's 40%. Again, it's hard to attribute this success and some others below to Obama's coattails; more likely, each race was won this time (unlike 2008) on individual ground-game and name recognition.
- **U.S. 1<sup>st</sup> House District:** As of publication of this document, Congressman Dan Benishek holds a slight 2,000-vote lead against Gary McDowell, a former State Rep. Benishek beat McDowell for this seat (vacated by Congressman Bart Stupak, who retired) in 2010, but McDowell returned to

take on the Freshman Congressman. With nearly all precincts reporting, Benishek keeps this seat in the Republican column.

- **U.S. 3<sup>rd</sup> House District:** Congressman Justin Amash, also a Freshman Congressman elected during the 2010 Presidential Mid-Term onslaught, faced very stiff competition from former State Rep. Steve Pestka. Pestka conceded defeat to Amash, who will return to Washington and keep this seat, conversely to the 1<sup>st</sup> District above, firmly in Republican hands.
- **U.S. 11<sup>th</sup> District:** This is the Congressional seat vacated in the middle of the election by controversy-plagued Thadd McCotter (himself an early Presidential hopeful). When McCotter pulled-out from the race after it was found that his campaign staff fraudulently obtained ballot signatures to get him on the ballot, the Republican Party picked Kerry Bentivolio (a teacher) to take McCotter's place. Bentivolio comfortably defeated Democratic challenger Syed Taj but in a continuation of this season's weirdness, will not represent the district for the remainder of this legislative session. Democrat David Curson has that honor.
- **Michigan 25<sup>th</sup> House District:** This is a "new," or, vacant seat created when the redistricting process merged Rep. John Switalski's seat and Rep. Lesia Liss' seat, forcing the two of them to run against one another (Switalski won in the Primary) and opening a new vacant seat encompassing parts of Sterling Heights and Warren. This close race pitted Republican Sean Clark against Democrat Henry Yanez. Yanez won by about 1,000 votes in a race that almost weekly went back and forth.
- **Michigan 39<sup>th</sup> House District:** This is a seat technically vacated by State Rep Lisa Brown, who decided to forego her last term as a State Rep to run for Oakland County Clerk (she won in what is considered an upset against Oakland County fixture Bill Bullard). The race pitted Republican Klint Kesto, an Oakland County Assistant Prosecutor, against Democrat Pam Jackson. Kesto won, turning the former Democratic seat Republican.
- **Michigan 41<sup>st</sup> House District:** In what should have been an easy win for the Republican candidate, this Troy-area seat being vacated by Rep. Marty Knollenberg came down to the wire. Democrat Mary Kerwin nearly pulled off the upset of the night, but Republican Martin Howrylak edged her out by a mere 500 votes.
- **Michigan 52<sup>nd</sup> House District:** Incumbent Republican State Rep Mark Ouimet was challenged by Saline Mayor Gretchen Driskell in one of the most-watched races in the state. Finally, at around 4:30 in the morning, Driskell took the seat by about 3,000 votes, changing the seat from Republican to Democratic control.
- **Michigan 57<sup>th</sup> House District:** Former Democratic State Senator Jim Berryman, who brings a lot of name recognition, challenged incumbent Republican State Rep Nancy Jenkins. Jenkins won, keeping the seat in Republican hands.
- **Michigan 63<sup>rd</sup> House District:** Republican Speaker of the House Jase Bolger found himself in a pickle when a relative unknown Bill Farmer benefited from a well-publicized election gaffe that involved the Speaker; the normally-safe seat for Bolger suddenly became vulnerable. But the Speaker, benefitting from name recognition, a dollar advantage, and a visit from the Governor, held the seat by about 800 votes. For a hot minute, it appeared a Speaker of the House would lose reelection, but Bolger, again, prevailed.

- **Michigan 67<sup>th</sup> House District:** Term-limited Democratic State Rep Barb Byrum (who ran – and won – for Ingham County Clerk) vacated the seat, pitting Lansing Fire Chief Tom Cochran against prominent farmer Jeff Oesterle for a seat that was made slightly more favorable to Republicans through redistricting. Cochran won decisively, keeping the seat in Democratic hands.
- **Michigan House 71<sup>st</sup> District:** Unlike in 2010, Democrat Theresa Abed beat Incumbent Republican Deb Shaughnessy this year to flip this seat back to Democratic control. Abed, from Grand Ledge, works as a school social worker at the Eaton Intermediate School District.
- **Michigan 76<sup>th</sup> House District:** Democrat Winnie Brinks did the unheard-of: she won a primary campaign as a write-in candidate, and went on to win this seat, keeping it in Democratic hands. She faced two challengers: the first, Roy Schmidt, who was embroiled in campaign controversy as he switched parties (Dem to Republican) at the last minute before the campaign filing deadline, and allegedly tried to orchestrate a friend of a nephew to run as the Dem to keep others out of the race. The plot was uncovered, stirring controversy, and sinking Schmidt. Schmidt and Brinks were also challenged by a General Election write-in candidate, Bing Goi. Brinks prevailed over both last night to win the seat.
- **Michigan 84<sup>th</sup> House District:** Former Democratic Representative Terry Brown, who was defeated in 2010, stormed back into this Republican-leaning district in Michigan's Thumb area by defeating Republican Dan Grimshaw and Independent Edward Canfield by a large margin.
- **Michigan 91<sup>st</sup> House District:** Incumbent Republican Holly Hughes lost one of the closest races of the night to Democratic candidate Collene Lamonte by less than 200 votes. This seat, which represents parts of Muskegon and Norton Shores, has flip-flopped back and forth between Republican and Democratic control several times in the last decade.
- **Michigan House 101<sup>st</sup> District:** Incumbent Republican Ray Franz staved off a determined challenge by Democrat Allen O'Shea. Although this seat went back and forth throughout the vote counting process, Franz held on in the end, winning by nearly a thousand votes.
- **Michigan House 103<sup>rd</sup> District:** In one of the more interesting races of the year, incumbent Republican Bruce Rendon – despite representing a strongly Republican district – had to work hard to fend off a well-funded challenge from Democrat Lon Johnson. Despite being outspent, Rendon managed to hang on and win by over 2,000 votes.
- **Michigan House 110<sup>th</sup> District:** Incumbent Republican Matt Huuki won this district in 2010 against Democrat Scott Dianda. Those roles were reversed this year, as Dianda won the rematch by just over 1,000 votes, flipping this seat back to the Democratic fold.

### Supreme Court Races

Supreme Court Justices Stephen Markman and Brian Zahra, and University of Michigan law professor Bridget Mary McCormack took the three Supreme Court seats up for grabs in yesterday's election. The three seats appeared on the ballot in two different categories as two of the seats are for a full eight-year term, while the other will finish the remaining two years of former Justice Maura Corrigan, who stepped down from the position to take up the position of Director of the Michigan Department of Human Services. Markman and McCormack will serve the full eight-year terms, and Zahra will finish the two remaining years of the third seat.

Judge Connie Kelley, the democratic-nominated Wayne County judge, received the next highest number of votes behind Markman and McCormack. Coming in just behind Brian Zahra was democratic-nominated Southfield judge, Shelia Johnson. Also running in these two races were independent candidates, Kerry Morgan, Doug Dern, Robert Roddis, and Mindy Berry.

As the only Democrat-nominated Supreme Court candidate to win yesterday, Bridget Mary McCormack received a good number of endorsements from business groups and from Republicans including the Detroit Regional Chamber of Commerce and former Governor William Milliken.

### **Proposals 1 Aim Passes, 2-6 Fail**

The “no” vote carried the day on all ballot proposals in Michigan for the November 6<sup>th</sup> general election. For Proposal 1, this meant the aim of the referendum was achieved and PA 4 – the emergency financial manager law – will be repealed. Proposal 1 was the closest vote of the six on the ballot, falling 48% to 52%. As for the rest of the proposals, the votes of “no” struck down all attempts at amending the state constitution. Only two other proposals even approached a “yes” vote of 40% with over 90% of precincts reporting.

Proposal 2 would have protected collective bargaining in the constitution and was defeated, despite the efforts by the United Auto Workers, American Federation of Teachers, Michigan Education Association, Michigan Nurses Association and the AFL-CIO. The opposition to the unions came from Protecting Michigan Taxpayers, as well as the group which opposed many of the proposals, Citizens Protecting Michigan’s Constitution (CPMC). This group, along with Governor Snyder, was responsible for putting out the “hands off our constitution” message that seemed to resonate best with voters this election in shooting down Proposals 2-6.

The second largest margin of defeat came for Proposal 3, which would have increased the state’s renewable energy standard from 10% by 2015 to 25% by 2025. Michigan Energy Michigan Jobs was the main backer, but they ran up against Clean Affordable Renewable Energy (CARE), backed by Consumers Energy and DTE Energy. Again, the winning side argued that a constitutional amendment was not the way to address this issue. CARE supported the current energy standard, and asked people to vote down this proposal if they agreed the current standard was working.

Even without formal opposition, Proposal 4 went down with the rest of the ship. Proposal 4 would have allowed home health care workers to unionize as state employees. Service Employees International Union supported the proposal, but they could not gain enough traction to get the proposal passed. Although there was not a single group against Proposal 4, Governor Snyder included it in his message of “‘Yes’ on 1, ‘no’ on the rest.” Along with the general message from CPMC, that was enough to defeat Proposal 4.

Proposal 5 saw the widest margin of defeat, which would have required a 2/3 majority vote in both houses on taxes. Support came from Michigan Alliance for Prosperity/Americans for Prosperity and the Moroun family. Opposition came from Defend Michigan Democracy and the governor’s office. They claimed that it would be next to impossible to pass any tax law if this proposal passed, and asked to give the governor the benefit of the doubt with his economic plan for the state.

The Moroun family backed Proposal 6, which also failed by a wide margin, even though they set a record for the largest single-side spending for a ballot proposal of more than \$30 million. Taxpayers Against Monopolies was the opposing group, and in conjunction with Governor Snyder, defeated the proposal despite only spending \$1.6 million for their position. Proposal 6 would have required a state wide vote for any new international bridge or tunnel. This was in response to Governor Snyder signing an agreement with Canada for a new bridge to Canada, the New International Trade Crossing. Citizens again rebuked the attempt to amend the constitution, and rounded out the chorus of “no” for Proposals 2-6.

### **Education Elections**

The votes flowed downstream, as the victory of Democratic President Obama was followed by a full slate of Democratic wins with the elected education posts in the state of Michigan. The Democrats went eight for eight on the seats up for election, beating out a mostly Tea Party based opposition. Lupe Ramos-Montigny and Michelle Fecteau won the two State Board of Education seats over Tea Party members Todd Courser and Melanie Kurdys. Ramos-Montigny and Fecteau will replace Marianne Yared-McGuire and Nancy Danhof, and up the Democrats edge on the board to 6-2.

For the University of Michigan, voters swapped out two Democrats for two new ones. Mark Bernstein and Shauna Ryder Diggs will replace Olivia Maynard and S Martin Taylor to maintain a 6-2 Democratic composition on the University Board of Regents. They beat out Republicans Robert Steele and Dan Horning.

Joel Ferguson was reelected, and voters replaced Republican Melanie Foster with Democrat Brian Mosallam for Michigan State University’s Board of Trustees. Interestingly, Mosallam will make three former Michigan State football coaches or players sitting on the Board, joining former coach George Perles and former player Mitch Lyons. The other losing Republican was Jeff Sakwa. This election will add to the Democratic majority of the Board, making it 6-2.

Sandra Hughes O’Brien and Kim Trent replaced fellow Democrats Tina Abbott and Annetta Miller on the Wayne State University Board of Governors. They beat out Republicans Michael Busuito and Satish Jasti for the seats. The two new members will allow the Board to maintain its 6-2 Democratic control.