

# INSIDE MICHIGAN POLITICS

Inside: Campaign 2008 ---Who Will Win?  
Here Come Dah Judges!  
They Said It

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## STATE HOUSE REPUBLICANS: DISASTER APPEARS IMMINENT

Could it happen? Could a major political party that drew its own reapportionment map for the Michigan House of Representatives lose more than 20 seats over three election cycles and plunge from its biggest majority in half a century to a nadir where it finds itself in a 70-40 hole — or worse?

Amazingly, it seems likely. The House GOP, which enjoyed a 63-47 majority during 2003-04, now finds itself in the minority by six seats and could suffer a net-loss of at least a dozen more this year.

Let's retrace some recent Michigan political history:

■ In 2000, then-House Speaker **Chuck Perricone** (R-Kalamazoo) helped ensure that his House Republicans wound up with exactly the same number of seats (58) in the session after he left that they had when he presided over the chamber, despite the fact that his party's standardbearer in 2000, **George W. Bush**, lost Michigan by more than five points at the top of the ticket against Democratic nominee **Al Gore**.

■ 2000 remains the only year in Michigan history when every single seat in the state House remained in the same party's control after the election as before it. That was of crucial importance, because if Michigan Republicans had lost their edge in the chamber, they would not have been in a position to band together with majority Republicans in the state Senate and a GOP governor, **John Engler**, to draft the first Republican-tilted gerrymander of Congressional and legislative districts in three-quarters of a century.

■ The redistricting plan subsequently approved by Engler and legislative Republicans in 2001 should have yielded, on paper, at least 67 seats for the House GOP in the 2002 election, all things being equal. But all things must not have been equal, because Republicans came away from '02 with only 63 seats. While that represented the high water mark for Michigan Republicans since the early years of the Eisenhower administration, it could have — many would say should have — been higher.

■ In 2004, Perricone's successor as Speaker, **Rick Johnson** (R-LeRoy), found himself in a similar position to Perricone's in 2000. Each was term-limited and wasn't running for anything else. The biggest challenge to both men was whether each built up — or at least held onto — the majority each had inherited. Clearly, Perricone succeeded, while Johnson didn't. In fact, Johnson's House GOP lost a net five seats in 2004, reducing the GOP majority to 58-52 — right back

where it was when Perricone was Speaker. In other words, the Johnson-led Republicans, with a much better map than Perricone had (and with Bush doing better against **John Kerry** than he had against Gore), frittered away their electoral patrimony in the short space of two elections.

■ Then came 2006, when the Speaker was 36-year-old **Craig DeRoche** (R- Novi), who like Johnson had been elected to the top leadership spot after only a single term in the House. DeRoche seemingly had one advantage that Johnson didn't possess — it was a comparatively 'light turnover' year, and there appeared to be only one seat — the 75th in Grand Rapids — that looked like it could flip from Republican to Democratic. Beyond that, Democrats would have to knock off incumbents to make gains — and that appeared almost impossible to do in Michigan, i.e., only three incumbents had been defeated in a general election in the previous decade out of more than 500 legislative races. Indeed, even minority Democrats didn't think they had a real chance of recapturing the majority — they were aiming for 2008. Amazingly, however, the Dems topped three GOP incumbents in that single 2006 election and annexed three open seats that had been held in the previous session by Republicans. Result? A 58-52 Democratic majority, making DeRoche the first Speaker in nearly four decades to lose his job after a single term as the result of an election.

That brings us to 2008, which is the election Democrats had been aiming at all along. Why? Because 46 seats are open, with 29 of those now held by Republicans, as many as a dozen of them in "swing" or marginal districts that Dems — provided they field quality candidates who are well-funded — could win. By contrast, of the 16 Democrat-held seats that are open

### PUNDIT SUMMIT/CATHARSIS PARTY

Don't forget Pundit Summit IX! Date, time, and place: Thursday, Nov. 6, 1:00-4:30 p.m. in the Library of Michigan auditorium. All the big names in Michigan politics, polling, and punditry will be on hand for a quick and thorough post-election analysis of Campaign 2008. Cost is \$65. Reserve your spot now by sending a check now to Pundit Summit IX, c/o Public Sector Consultants, Inc., 600 W. St. Joseph St., Suite 10, Lansing 48933 (website [www.pscinc.com](http://www.pscinc.com)). Immediately afterwards will be the 9th Biennial "Post-Election Catharsis Party" at Beggar's Banquet, 218 Abbott in East Lansing, hosted by a hundred Lansing lobbyists and powerbrokers.

this year because of term limits, only a couple are truly marginal (there's actually now a 17th seat technically open, but that's because a Democratic incumbent was upset in the Aug. 5 primary in a district that will surely stay Democratic in the 11/4 general election).

Wait! — it gets worse for the GOP. The one big hope for Republicans all summer and fall was that Michigan would be a "battleground" state at the top of ticket, with Republican presidential nominee **John McCain** "over-performing" against Dem standardbearer **Barack Obama** and perhaps capturing Michigan's 17 electoral votes, or at least keeping the presidential outcome close. But then came the Wall Street collapse and McCain's clumsy "pull-out" from Michigan. Now there's a prospect that McCain will be blown out here by Obama, along the lines of **Bob Dole's** 13-point loss to Democratic President **Bill Clinton** in 1996, which cost the GOP control of the state House.

Indeed, 'micro-polls' commissioned by **Inside Michigan Politics** and conducted by East Lansing-based Practical Political Consulting in four key House districts last month — before McCain's damaging "surrender" of Michigan — showed the four Democratic nominees (two of them incumbents, two in open districts) well ahead of their Republican opponents. If those four Democrats all win next week, it's likely their party will win an additional 8-10 seats as well, pushing

the Dem majority to as much as 70-40, maybe more.

Amazingly, the lame-duck DeRoche is still at the helm of the House GOP caucus, although responsibility for the Republicans' campaign effort has supposedly been handed over to a committee of less experienced members whose responsibilities have shifted around in the past six months because of personal ambition. Meanwhile, former Speaker Johnson, now a "bi-partisan" lobbyist, has busied himself trashing his former GOP colleagues and writing a guest editorial boosting a freshman House Democrat's re-election prospects.

On top of all this, the House GOP is being outspent collectively by its Democratic rivals by at least 3-1, principally with money from Kalamazoo billionaire **Jon Stryker's** PAC.

Following is **IMP's** final pre-election 'tracking' table broadly summarizing election prospects in all 110 state House enclaves. A district number in boldface rather than a name means that the sitting member can't run again, usually because of term limits (the incumbent's name follows in parentheses):

In most cases, "solid" or "likely" or "lean" refers to the district itself, although in a few cases a particularly strong incumbent enhances his (or her) party's chances of retaining the seat. Term limits also can make a difference. Democrats are in regular type, Republicans in italics:

## STATE HOUSE OF REPRESENTATIVES

SOLID DEM	LIKELY DEM	LEAN DEM	TOSS-UP	LEAN GOP	LIKELY GOP	SOLID GOP
61 Projected Democratic seats						
(36)	(12)	(13)	(1)			
Bauer	Angerer	T. Brown	<b>106th</b> (Gillard)			
Bennett	Byrnes	Corriveau				
Clemente	B. Byrum	Dean	42 Projected Republican seats			
Constan	Dillon	Ebli	(6)	(10)	(13)	(19)
Coulouris	Donigan	Espinoza	<b>21st</b> ( <i>LaJoy</i> )	<i>Ball</i>	<i>Calley</i>	<i>Agema</i>
Cushingberry	Lahti	Griffin	<b>39th</b> ( <i>D. Law</i> )	<i>Horn</i>	<i>B. Caul</i>	<i>Booher</i>
Gonzales	McDowell	Simpson	<b>51st</b> ( <i>Robertson</i> )	<i>Meltzer</i>	<i>G. Hansen</i>	<i>Elsenheimer</i>
Hammel	F. Miller	Valentine	<b>61st</b> ( <i>Hoogendyk</i> )	<i>Moore</i>	<i>Rick Jones</i>	<i>Green</i>
Jackson	J. Sheltroun	<b>1st</b> ( <i>Gaffney</i> )	<b>101st</b> ( <i>Palsrok</i> )	<b>19th</b> ( <i>Pastor</i> )	<i>M. Knollenberg</i>	<i>Hildenbrand</i>
B. Johnson	Dudley Spade	<b>24th</b> ( <i>Brandenburg</i> )	<b>108th</b> ( <i>Casperson</i> )	<b>32nd</b>	<i>Opsommer</i>	<i>Marleau</i>
Robt. Jones	<b>23rd</b> ( <i>K. Law</i> )	<b>37th</b> ( <i>Vagnozzi</i> )		( <i>Acciavatti</i> )	<i>Paulov</i>	<i>Meekhof</i>
LeBlanc	<b>25th</b> ( <i>Bieda</i> )	<b>62nd</b> ( <i>Nofs</i> )		<b>43rd</b> ( <i>Amos</i> )	<i>T. Rocca</i>	<i>Moss</i>
G. Leland		<b>70th</b> ( <i>Emmons</i> )		<b>78th</b> ( <i>Nitz</i> )	<i>Schuitmaker</i>	<i>Pearce</i>
Lemmons				<b>98th</b> ( <i>Moolenaar</i> )	<b>36th</b> ( <i>Palmer</i> )	<i>Proos</i>
Lindberg				<b>104th</b> ( <i>Walker</i> )	<b>38th</b> ( <i>DeRoche</i> )	<b>44th</b> ( <i>Stakoe</i> )
Mayes					<b>63rd</b> ( <i>Wenke</i> )	<b>45th</b> ( <i>Garfield</i> )
Meadows					<b>82nd</b> ( <i>Stahl</i> )	<b>47th</b> ( <i>Hune</i> )
Melton						<b>58th</b> ( <i>Caswell</i> )
Polidori						<b>59th</b> ( <i>Shaffer</i> )
B.C. Scott						<b>66th</b> ( <i>Ward</i> )
A.W. Smith						<b>72nd</b> ( <i>Steil, Jr.</i> )
Warren						<b>88th</b> ( <i>Sheen</i> )
C. Young						<b>90th</b> ( <i>Huizenga</i> )
<b>6th</b> ( <i>Cheeks</i> )						
<b>7th</b> ( <i>V. Smith</i> )						
<b>11th</b> ( <i>M. Hood</i> )						
<b>12th</b> ( <i>Tobocman</i> )						
<b>13th</b> ( <i>Farrah</i> )						
<b>22nd</b> ( <i>Hopgood</i> )						
<b>27th</b> ( <i>Meisner</i> )						
<b>28th</b> ( <i>L. Wojno</i> )						
<b>34th</b> ( <i>B. Clack</i> )						
<b>35th</b> ( <i>Condino</i> )						
<b>42nd</b> ( <i>F. Accavitti</i> )						
<b>50th</b> ( <i>Hammon</i> )						
<b>76th</b> ( <i>Sak</i> )						

## **CAMPAIGN 2008: ITS END IS A MERE WEEK AWAY!**

Just eight days remain before E-day! Here is **IMP's** final projection of how things will likely turn out Nov. 4:

**President.** No way **John McCain** will win Michigan — the only question is how big **Barack Obama's** victory will be. It's likely the margin will be larger than either Kerry's or Gore's, but will it be as robust as Clinton's 13% margin in 1996? Republicans hope not, but, if it is, the collateral damage on down the ticket for the GOP will be huge.

**U.S. Senator.** Incumbent **Carl Levin** will easily win his sixth straight term, breaking a record as Michigan's longest-serving senator that he's already set. Republicans have offered up their second straight sacrificial lamb term-limited state legislator — this time it's Rep. **Jack Hoogendyk** of Kalamazoo — and the beating he'll absorb on Nov. 4 will be almost cruel.

**U.S. House.** What a difference a couple of years make! The last three elections have seen Republicans assured of winning and maintaining a 9-6 margin in Michigan's Congressional delegation, no questions asked. Not any more. Democrats now have to be considered marginal favorites to knock off Republican incumbents in both the 7th and 9th Congressional Districts, giving the Democrats an 8-7 edge in the state's delegation for the first time in a half-dozen years.

**State Supreme Court.** If someone could convince Kalamazoo billionaire **Jon Stryker** to invest some of his hard-inherited cash into this race on behalf of Democratic nominee **Diane Hathaway** instead of frittering it away gilding the lily on state House races, Michigan Dems might make a real breakthrough by knocking off incumbent Republican Chief Justice **Cliff Taylor**. But unless the "Asleep on the bench" TV ads skewering Taylor that started last week get the voluminous statewide play they'll need to catch fire, the head muck-a-muck will dodge the bullet. That means the high bench will remain in the grip of the "Gang of Four" long enough to stop any gerrymanders perpetrated by Gov. **Jennifer Granholm** and legislative Democrats in 2011-12. Of course, Dems have a fallback position — they can bump off another member of the 'Gang of Four,' **Bob Young**, two years from now,.

**Higher Education Boards.** It used to be that either one party or the other swept all eight seats on the education boards — two apiece on U-M, MSU, WSU and the state Board of Education — depending on whether Republicans or Democrats were winning at the top of the ticket in a particular year. Then a long period ensued in which the parties split the seats up by various fractions (but never 4-4). That ended in 2006, when Democrats swept all eight seats then up for grabs. This result seems to have ushered in another era of "back to the future" — Dems are poised to sweep all eight again this year, just as they did with regularity back in the '60s and '70s. The only question might be whether Republican **George Scott Romney** can survive again (as he did in 2000) while seeking another term on the MSU board. In any event, the Democrats

have only Romney's seat to gain, and they already hold majorities on all four panels, on which their edge can't improve except at MSU.

**Ballot Proposals.** As many as a dozen concepts, legislative resolutions, and petition drives were underway at various times during calendar years 2007 and '08, but only two finally wound up on the ballot. Proposal 08-1 (Legalizing Medical Marijuana) should pass handily despite a late-blooming, underfunded campaign by the U.S. Drug Czar and an *ad hoc* committee of law enforcement politicians endeavoring to discredit it. Proposal 08-2 (Approving Embryonic Stem Cell Research) started out strong in the polls, but like many another such question it has lost steam under a relentless assault by opponents such as Right to Life of Michigan and the Michigan Catholic Conference. Unless it receives a major infusion of cash in this last week, it now looks likely to lose, although the final result could be close.

**County & Township Officials.** Republicans still dominate countywide elected offices (sheriffs, prosecuting attorneys, clerks, treasurers, etc.); county boards of commissioners (more than 58% of all such legislators, and majorities on 49 of Michigan's 83 panels); and townships (more than 70% of all township officials). But the Democrats have been coming on strong — in 2006, they net-gained seats on county boards of commissioners in back-to-back elections for the first time in more than three decades. They will again this year, too, and look for them to also net-gain countywide offices and township board seats as well.

## **HERE COME DAH JUDGES!**

Political party convention nominations for the Supreme Court, August 5 primary results, and — more than anything else — the simple act of filing candidacy papers for appellate, circuit, district and probate judgeships have guaranteed that incumbents (or single candidates running for open seats) will be (re-)elected in 184 of the state's 249 judicial contests on the general election ballot this year (73.9% of the total), which is only about 4% less than the percentages in the past two elections.

In fact, most sitting judges haven't even drawn opponents. But, among those who have, incumbency, even if it's earned by appointment rather than previous election, will be the most essential ingredient for ultimate success in the judicial contests to be determined Nov. 4 — from the Supreme Court on down.

For example, there were only two incumbent judges this year being challenged for (re)nomination who faced an 8/5 primary; as predicted by **IMP**, they both qualified for the general election runoff.

But, even though nearly three-quarters of all judgeships on the general election ballot have already been decided because the incumbents are running unopposed, there are 65 still up for grabs. That's because 36 sitting judges drew challengers. Also, retirements and deaths have produced 29 other contests for high and low bench.

Regardless of gender, winners of non-incumbent

judicial contests are determined less by the candidates' legal competence as perceived by peer members of the bar, and more — a lot more! — by name ID, veiled identification with political parties and their affiliated interest groups, race, previous election to either judicial or non-judicial office, geography, door-to-door campaign skills, and, most of all, money.

**IMP's** predictions of judicial outcomes hinge on readers referring to the "Special Judicial Supplement" contained in the last **IMP** (Vol. XI, No. 47), which offers a complete listing of all contested races, including incumbency designations and, where applicable, the order of finish by contenders in the Aug. 5 primary.

In short, **IMP** predicts all incumbents will win Nov. 4 except **Dana Fortinberry** in the race for 52nd District Court (Division 2) and, possibly, the 23rd Circuit Court contest in a four-county jurisdiction northeast of Bay City, where an unprecedented write-in campaign by challenger **Chris Martin** of Tawas City against two sitting jurists may prove successful despite the long odds against him. In races where there are no incumbents but which had primary competition, **IMP** foresees all the top 8/5 finishers being elected.

In the three contested non-incumbent races where there was no 8/5 competition, **IMP** predicts that the 11/4 winners will be:

● **15th Circuit Court** (Branch Co.) This is a face-off between a veteran attorney in private practice without obvious partisan identity, **Charles J. Lillis**, and a former state trooper who is now an assistant county prosecutor, **Bill O'Grady**. Both hail from Coldwater. O'Grady is younger, has the Right to Life endorsement,

has served on the county's GOP executive committee, is popular in youth soccer leagues, and is perceived as more of a "hard-liner" on law enforcement. Give the edge to Dwyer, but either way it'll be close.

● **30th Circuit** (Ingham Co.) At the candidate filing deadline last spring, there were three incumbents running for re-election opposed by three challengers who saw blood in the water due to the ongoing legal difficulties of one of the sitting judges, **Beverley Nettles-Nickerson**. Then N-N was defrocked by the Michigan Supreme Court, but even though she's off the bench she's still on the ballot. So are two other incumbents, **William E. Collette** and **Janelle A. Lawless**, both of whom should be re-elected (N-N will probably finish last). A District Court judge, **Rosemarie Aquilina** of East Lansing, seems to have an edge for the third slot over local attorneys **Frank Reynolds** and **Hugh Clarke**.

● **14B District Court** (Ypsilanti Twp). The incumbent judge is retiring, but his longtime magistrate, **Charles Pope**, is ready to don the robes. First, though, he has to beat an assistant county prosecutor, **John W. Rieser**. Pope, who has more Establishment backing, should prevail.

## THEY SAID IT

■ "In order to capitalize on a wave, you have to have a surfboard in place..." — *Former* **George W. Bush Svengali Karl Rove**, now a political consultant and TV commentator, describing on *FoxNews Sunday*, Oct. 5, what Democratic nominees for various offices have to do to have a chance to be elected on Nov. 4. And most of them do.

■ "Bikinis are my favorite thing to wear." — *Macomb Co. Commissioner* **Carey Torrice** (D-Clinton Twp), 31, fending off criticism after the entertainment and gossip website, *TMZ.com*, named her "American's Hottest Politician" because of photos she posted of herself on the Internet. According to *The Detroit Free Press* (9/30), the photos show her in revealing "cop" costumes with plunging necklines and short skirts. Torrice is trying to rebuff the challenge of the ordained minister she defeated two years ago, Republican **Bill Revoir**, who argues that the photos are "inappropriate" and that Torrice is "out there promoting herself and embarrassing her district and (Macomb) County."

■ "Babe, just once tell me what to say before I go on the show." — *Gov.* **Jennifer Granholm** with her "eyes glazed over, her shoulders slumped," according to her husband, "First Gentleman" **Dan Mulhern**, after he had criticized her responses to questions posed by *WJR-AM* radio talk show host **Paul W. Smith** (West Bloomfield Eccentric, 9/28). Wait! Isn't the conventional wisdom that the Governor gets too much, not too little, input from Mulhern in her decision-making?

### ALLEN ELECTION CONTEST: MAIL IN THOSE BALLOTS!

You've got only a week to get your ballots in if you want to win the biennial Glenn S. Allen, Jr., Memorial Election Contest. The contest challenges entrants to pick the winner of a plethora of national, state and local contests in this year's election. It costs \$7 to enter.

If you want to participate, e-mail **Jennifer Joy Yocum**, at [jjoy@fraserlawfirm.com](mailto:jjoy@fraserlawfirm.com) and she'll e-mail you back a ballot in either a pdf or text format. You can then e-mail your final filled-out ballot back to her (the \$7 will have to be snail-mailed to her separately) or download the ballot, fill it out and post it (with the \$7) to Jennifer Joy Yocum at the Fraser Trebilcock law firm at 124 W. Allegan St., Suite 1000, Lansing 48933. Alternatively, you can fax your entry to Yocum at 517/482-0887 or drop it off at Fraser Trebilcock's reception desk on the 10th floor of the Boji Tower (with Jennifer's name on it) in downtown Lansing. If you have any questions of her at any point, phone 517/377-0841. Your ballot must be RECEIVED, not postmarked, by 5 p.m. Monday, Nov. 3.