

INSIDE MICHIGAN POLITICS

Inside: They Said It

Dec. 8, 2008

Vol. XII, No. 3

STATE SENATE: BRATER ONCE AGAIN MOST LIBERAL, KUIPERS MOST CONSERVATIVE

After a one-year hiatus, state Senator **Liz Brater** (D-Ann Arbor) has reclaimed her hitherto customary status as the most liberal member of the chamber during 2008, while another solon, **Wayne Kuipers** (R-Holland), is the new #1 most conservative.

So concludes **Inside Michigan Politics**, which for the past two decades has compiled a rating system that judges lawmakers' ideologies on a wide variety of issues.

All during her first term, Brater was always 'most liberal,' either tied or alone, until 2007, when she was dethroned by her Democratic colleague, **Gretchen Whitmer** of East Lansing. In fact, Brater sank to a three-way tie for fourth.

Meanwhile, **Alan Sanborn** (R-Richmond) was the *least* liberal member of the state Senate during 2006 and '07, but he moderated his voting behavior enough in the past 10 months to finish in a three-way tie for fifth 'most conservative' this year.

Overall, the Senate's minority Democrats weren't anywhere near as liberal in 2008 as they were the two previous years, according to the **IMP** study. Nor were they as liberal as their House counterparts, who racked up a 87.1% liberal tally on a 0-100% scale this year (see **IMP**, Vol. XI, No. 47).

As evidence: Senate Dems' composite score on litmus-test roll calls in 2008 was only 68.6% liberal, compared with 86.4% 'liberal' in 2007 and 79.6% a year earlier. Contrast that with majority Democrats in the state House of Representatives, who have scored roughly 20 percentage points higher on the 'liberal' meter during the past two years than they did in 2006, when they were still in the minority.

Senate Republicans moved even more to the right this past year, by about the same margin as did their Democratic colleagues. In 2008, the majority Senate GOP had a composite average score of only 13.3%. By contrast, last year, their composite average was almost double that — 26.4%; in 2006, when Republicans controlled the Senate, 22-16, they scored 19.9%. Both those tallies are almost carbon copies of their House Republican counterparts.

Two main reasons account for the shifts in voting behavior by all four caucuses during the two years of the 94th Legislature compared with the 93rd:

1) Both parties in both chambers shifted to the left in 2007 compared with the previous year because the session was dominated by tax and budget roll calls rather than cultural/social issues. This year, the issues shifted back to look a little more like 2006.

2) Democrats in the state House were in the majority for the first time in eight years during 2007-08 and thus controlled the agenda; they brought 'liberal' bills to

STAR LIGHT! STAR BRIGHT!

A Christmas tree from Negaunee is doing the Yuletide honors at Lansing's principal address this year — courtesy of 90-year-old **George Miljour, Sr.**, who allowed the Michigan Assn of Timbermen to cut it down on his lawn and transport it to the capitol city some 410 miles away.

This is the sixth year in a row the state Christmas tree has been selected out of the Upper Peninsula.

The prize conifer arrived at the state capitol Nov. 8 after a three-day trek. Boy Scouts from Charlotte's Troop 3 cut the ropes that confined its branches; Hi-Ball Crane of Laingsburg hoisted it upright; and employees of the Lansing Board of Water & Light helped state government workers and capitol staff decorate it.

The 65-foot-high, three-and-a-half-ton ton blue spruce was unveiled to the public at the 24th annual "Silver Bells in the City" celebration on Friday, Nov. 21.

One new feature of this year's festivities deserves mention — no longer will the lights on the tree be chipped up with the wood and pine needles and used as mulch in Lansing city parks. Instead, the tree's new LED (light-emitting diode) lights will be salvaged and put in storage till next year.

The LED bulbs will be good for up to seven years, and are expected to cut the state's tree-lighting electric bill by 80% (from about \$2,000 for the 45-day holiday period, to some \$400). LED bulbs are more expensive than conventional bulbs (\$1.85 vs. 70 cents), but, given their longevity and more efficient use of electricity, they're a much better deal.

Michigan also has produced five trees for the principal address in Washington, D.C., during the four+ decades a ceremony has been held on the west lawn of the U.S. Capitol — although not this year. Four of the trees have been from the U.P. and one from Cadillac (in 1988). The most recent year Michigan supplied the National Pine was 2001, when a white spruce, dubbed "The Tree of Hope," journeyed a thousand miles to the lawn of the national Capitol's West Front from the Ottawa National Forest near Ironwood. This year's national tree, which was 144 years old when it was cut down Nov. 1 after being blessed by a Salish Indian chief, is a 78-foot-high sub-alpine spruce from Montana's Bitterroot National Forest.

the floor that they then passed (with most Republicans opposing). When these bills got to the Senate, however, many of the measures were sidetracked; majority Republicans controlled the Senate agenda, so minority Democrats could vote only on measures GOP lawmakers wanted considered. Sometimes Senate Democrats offered amendments that exposed the ideological fault-lines in the chamber — but not often enough.

There are few surprises in the **IMP** survey, but careful scrutiny of the figures can yield useful insights. For example:

- Like most surveys undertaken by **IMP** over the past two decades, there is no "overlap" between the Democrat who was the most conservative, veteran Senator (and former Congressman) **James Barcia** (D-Bay City) and the most liberal (or moderate) GOPer, **Randy Richardville** (R-Monroe), the chamber's President Pro Tem.

- Many times in years past, the most liberal Senators were African-Americans, usually from Detroit. That isn't necessarily so anymore, if only because Motown has lost so much population that it has far less representation than it used to. Today, a majority of the most liberal senators are white – three of the top five, and seven of the top 10.

IMP's rating system judges lawmakers' ideologies on a wide variety of issues. In arriving at the numerical scores listed below, **IMP** used 100% as an example of a senator who voted the "liberal" position on 28 different roll calls on an array of social, economic, taxation, environmental, civil rights, and public health/safety issues (conversely, 0% was a perfect conservative score).

If a roll call was missed, it was simply thrown out. Under these ground rules, failure to vote on some issues caused a senator's score to vary in percentage terms from what it would have been had s/he voted on all of them; each roll call was rated equally. This **IMP** profile is based on votes during calendar year 2008, beginning with a roll call last January 17 and ending with a vote in early October, before the current lame-duck session:

- 1/17/08, Roll Call #13, SB 967, authorizing a Michigan Business Tax credit equal to the amount a firm spent preparing to comply with the 6% tax on services that the Legislature passed Oct. 1, 2007, but repealed two months later (Y=Conservative, N=Liberal).

- 1/22/08, #15, SB 776, banning partial birth abortions (Y=C, N=L).

- 1/22/08, #17, SB 505. exempting retired and current state court judges from the "gun-free zone" provisions of the concealed pistol permit law (Y=C, N=L).

- 2/6/08, #28, SB 962, requiring a person who applies for a driver's license to provide documents showing the history of the person's full legal name, date of birth, and his or her address and residency, and demonstrating that the applicant is a U.S. citizen or an alien lawfully admitted for permanent or temporary residence, or has conditional permanent residence status in the U.S. The bill also requires the

Secretary of State to verify that the documents presented are genuine, check applicants against a federal citizenship database, and retain copies of the verification documents (Y=C, N=L).

- 2/20/08, #64, SB 843, prohibiting the Michigan Occupational Safety & Health Administration (MIOSHA) or other state agencies from imposing rules and regulations regarding workplace "ergonomics" (Y=C, N=L).

- 3/6/08, #113, SB 82, requiring child safety booster seats for children between four and eight years old who are under 4-feet, 9 inches tall and weigh less than 80 pounds (Y=L, N=C).

- 3/11/08, #115, SB 1059, prohibiting a girl under age 18 whose petition for a waiver from the parental consent provision of Michigan's abortion law has been denied by a court to petition a second time (Y=C, N=L).

- 3/20/08, #177, SB 815, extending the sunset (from 3/31/08 till 7/1/08) on a state mandate that telephone companies must impose a surcharge on customer bills to pay for county 911 services (Y=L, N=C).

- 3/25/08, #196, Deb Cherry amendment to SB 1094, adding \$28.1 million to the FY 2009 Dept. of Community Health budget for "adult home health services," and adding \$4.4 million to senior "all health" services (Y=L, N=C).

- 3/26/08, #208, Mark Schauer amendment to SB 1107, adding \$5 million in spending for various government pre-school programs (Y=L, N=C).

- 3/27/08, #223, SB 791, authorizing an income tax credit for the increase in property taxes a home buyer pays under the Proposal A "pop-up" compared to the previous owner's "capped" taxable value. The tax would end Jan. 1, 2011, and would apply for principal residences bought after April 1, 2008 (Y=C, N=L).

ERRATA

- In the table of County Board of Commissioners races in the last issue (see Vol. XII, No. 2), the totals for Mason and Sanilac Counties are correct — but the differences between the 2007-08 and 2009-10 columns for those two counties weren't reflected in the "net change" column. In fact, you can see that Republicans picked up a seat in Sanilac and two in Mason, meaning that the GOP lost "only" 21 seats statewide instead of 24. Also, the 2007-08 column reflects results following the 2006 general election, even though there were scattered switches in party affiliation during the past two years which can't be reflected in what **IMP** has published.

- How many times can we get it wrong?! In the last "Errata" box (again, see Vol. XII, No. 2), everything is correct EXCEPT, where it says 2005-06, it should have said 1965-66.

■ 4/22/08, #248, Mike Prusi amendment to SB 1198, increasing the maximum time a person could draw unemployment benefits from 26 weeks to 39 weeks (Y=L, N=C).

■ 4/22/08, #249, SB 1198, increasing the maximum earnings cap and executive compensation cap so more companies qualify for the lower Michigan Business Tax 'small business' rate. The bill would also extend an MBT "entrepreneurial tax credit" beyond 2010 and increase the value of that credit (Y=C, N=L).

■ 4/24/08, #263, SJR L, placing before voters in the next general election a Constitutional amendment that would prohibit the Legislature from expanding the sales tax to include services, or creating a new services tax, unless a two-thirds supermajority in the House and Senate approved the measure (Y=C, N=L).

■ 5/7/08, #297, SB 146, authorizing property tax abatements for land used for warehousing, distributing, or logistical purposes, or for a communications service center, if a facility built on such land is at least 100,000 square feet in size, which would encourage the erection of a Walmart distribution center near the border of Indiana — a state competing for such a facility — that could qualify for the break (Y=C, N=L).

■ 5/8/08, #298, HB 4163, banning smoking from all private businesses, such as restaurants, casinos, and cigar bars (Y=L, N=C).

■ 5/15/08, #322, Liz Brater amendment to SB 860, establishing that (under)groundwater is a "public trust" just like surface water (streams and lakes). Under this amendment, property owners would no longer possess an ownership right over groundwater and could use it only if the state grants permission (which could be by way of a "general permit" for uses below a certain volume specified by statute or regulation) (Y=L, N=C).

■ 5/27/08, #333, Martha Scott amendment to HB 5814, adding \$1 million to the FY 2009 Dept. of Human Services budget for government early intervention programs for children under age 4 (Y=L, N=C).

■ 5/27/08, #341, another Scott amendment to HB 5809, stripping out a provision that would stop the state Office of Financial & Insurance Regulation from spending money to implement a prohibition on use of credit scores in setting insurance rates (Y=L, N=C).

■ 5/28/08, #366, Glenn Anderson amendment to HB 5816, adding \$16.1 million to state revenue sharing payments to local governments (Y=L, N=C).

■ 6/3/08, #375, SB 591, limiting the liability of a company that had acquired another company (which may have produced or sold asbestos in the past) to the asset value of the acquired company. In other

words, the new owner could not be sued for damages that exceed the value of the assets of the acquired firm that actually brought about the liability (Y=C, N=L).

■ 6/10/08, #393, SB 1127, revising the law that authorizes tax credits and exemptions from certain special assessments for owners of land meeting a specific "open space" definition who agree not to develop their land, so that it provides an exception allowing continued tax breaks if the land is converted to growing crops as biomass for energy production (Y=C, N=L).

■ 6/24/08, #417, HB 6014, prohibiting anyone under age 14 from operating a personal watercraft, and prohibiting it for those age 14 or 15 unless accompanied by a parent, guardian, or an adult designated by the parent or guardian (Y=L, N=C).

■ 6/27/08, #462, HB 4490, repealing the law that requires a person who acquires a pistol to present it to the local law enforcement agency for a "safety inspection," and also requiring agencies to destroy any records of past inspections, with certain exceptions (Y=C, N=L).

■ 6/27/08, #492, SB 1370, shortening the state's 1,000-foot minimum spacing requirement for billboards on federal highways to 500 feet. Also, the current 500-foot spacing requirement for billboards on other primary highways would be cut to 300 feet (Y=C, N=L).

■ 9/18/08, #557, SB 213, imposing a 10% "renewable" energy mandate on electric utilities by 2015, including solar, biomass, wind, hydro, geothermal, advanced coal systems and more. The Public Service Commission would have authority to suspend the mandate if it judges the extra cost on utilities to be too high, and utilities could not raise monthly bills more than \$3 for residential customers, \$16.58 for small businesses, and \$187.50 for larger firms (Y=L, N=C).

■ 9/25/08, #569, HB 6091, extending until 10/1/11 the sunset on various taxes and fees that were set to expire 9/30/08 (Y=L, N=C).

■ 10/2/08, #595, SB 1242, phasing out over three years the 21.99% surcharge on the Michigan Business Tax enacted last 12/1/07 (Y=C, N=L).

The envelope, please:

Liz Brater (D-Ann Arbor) 92.0%
(23 out of 25 roll calls, three missed) **Most Liberal**

Irma Clark-Coleman (D-Detroit) 89.3%
(25 of 28)

Gretchen Whitmer (D-E. Lansing) 88.5%
(23 of 26, two missed)

Martha Scott (D-Highland Park) 85.7%
(24 of 28)

Gilda Jacobs (D-Huntington Woods) 82.1% (23 of 28)
Deb Cherry (D-Burton) 77.8% (21 of 27, one missed)
Ray Basham (D-Taylor) 74.1% (20 of 27, one missed)
Buzz Thomas (D-Detroit) 73.1% (19 of 26, two missed)
● Mike Prusi (D-Ishpeming) and Mickey Switalski (D-Roseville) 71.4% (20 of 28)
Hansen Clarke (D-Detroit) 67.9% (19 of 28)
● Glenn Anderson (D-Westland) and Mark Schauer (D-Battle Creek) 64.3% (18 of 28)
● Tupac Hunter (D-Detroit) and Dennis Olshove (D-Warren) 63.0% (17 of 27, one missed)
John Gleason (D-Flushing) 59.3% (16 of 27, one missed)
James Barcia (D-Bay City) 50.0% (14 of 28)
Randy Richardville (R-Monroe) 32.1% (9 of 28)
Roger Kahn (R-Saginaw) 28.6% (8 of 28)
Bruce Patterson (R-Canton) (5 of 27, one missed) 18.5%
● Jason Allen (R-Traverse City), Patricia Birkholz (R-Saugatuck), Michelle McManus (R-Lake Leelanau), and John Pappageorge (R-Troy) 17.9% (5 of 28)
Mike Bishop (R-Rochester) 14.3% (4 of 28)
Valde Garcia (R-Howell) 12.5% (3 of 24, four missed)
Bill Hardiman (R-Kentwood) 12.0% (3 of 25, three missed)
Tony Stamas (R-Midland) 11.1% (3 of 27, one missed)
● Cameron Brown (R-Sturgis), Tom George (R-Kalamazoo), Jud Gilbert (R-Algonac), Ron Jelinek (R-Three Oaks), Alan Sanborn (R-Richmond), and Gerald Van Woerkom (R-Muskegon) 10.7% (3 of 28)
Alan Cropsey (R-DeWitt) 7.7% (2 of 26, two missed)

● **Nancy Cassis** (R-Novi) and
Mark Jansen (R-Grand Rapids) 7.1%
(2 of 28)

Wayne Kuipers (R-Holland) 3.7%
(1 of 27, one missed) **Most Conservative**

THEY SAID IT

■ "Don't worry so much about the continuing power relationships in the Legislature. Let it go a little bit." — *Former Speaker of the state House of Representatives Paul Hillegonds* (R-Holland), pleading with an audience of some three dozen current and incoming Michigan lawmakers to try to get along better than has been the norm during the 94th Legislature. Hillegonds was one of the speakers at the Third Annual "Breakfast of Reconciliation," in Lansing's Radisson Hotel, Dec. 4. The early morning meeting was billed as being "in the spirit of the House and Senate Breakfast Groups." Hillegonds harkened back to what many today view as the "Golden Era" of bi-partisan cooperation in 1993-94, when a 55-55 tie led to the famous "shared power" 87th Legislature, presided over by Co-Speakers Hillegonds and **Curtis Hertel** (D-Detroit).

■ "He who has two tunics, let him give to one who has none; and he who has food, let him do likewise." — *Michigan Court of Appeals Judge Bill Schuette*, quoting from Luke (Chapter 3, Verse 13) upon hearing the results of the state's 18th annual volunteer "Harvest Gathering," concluded at MSU's Kellogg Center in East Lansing on Nov. 12. Started by Schuette and his wife, Cynthia, in the second year of the administration of then-Gov. **John Engler**, the gathering has raised over \$6 million and some 4,000 tons of food (enough for more than 13 million emergency meals) since **Cynthia Schuette** came up with the idea when the judge was director of the state Dept. of Agriculture. This year's effort brought in \$641,220 (including \$370,000 from the WalMart Foundation) and nearly 170,000 lbs. of edibles. The bounty will be distributed by the Food Bank Council of Michigan to an array of food pantries, soup kitchens and shelters in all of Michigan's 83 counties.

■ "It was one of those things where we had three conference calls, and we still didn't know what to do. It took a long time to make a decision for the Senator." — **Amanda Renteria**, 33, chief of staff for U.S. Senator **Debbie Stabenow** (D-MI), who Roll Call newspaper (10/16) says sees herself as "a leader who's good at forging consensus decisions within her staff" for Michigan's junior senator. Renteria was describing her role in helping Stabenow reach a decision on the \$700 billion TARP "bail-out" in early October. Weighing the feedback from Renteria and her staff, Stabenow eventually cast one of 25 dissenting votes against the bill (it passed the Senate, 74-25, with Michigan's other U.S. senator, **Carl Levin**, in support). "In order to get where you want to go, you have to take risks. (Debbie Stabenow) takes risks," Renteria said.