



CAPITOL REPORT

October 11, 2002

Election Day is now only four weeks off (thank goodness!) and herewith we present our pre-election outlook. But first . . .

A Look Ahead to the Post-Election Lame-Duck Session.

The House will return on November 7th, just two days after the votes are counted. The Senate returns November 12th. Both chambers will be in on November 12, 13 and 14, and quit until December 3rd. Both chambers will then be in for the weeks of December 2, 10 and possibly the 17th. The number of session days in “lame-duck” thus will be somewhere between ten and fifteen, not many but potentially enough to move legislative mountains.

Traditionally, lame-duck sessions are frenetic, unpredictable times when dormant legislation suddenly comes alive and the high-flying bills suddenly nose-dive into oblivion. Will that be true this year? It’s anybody’s guess and the answer may well depend on who wins, and who doesn’t, on November 5th. In any event, Kelley Cawthorne will be on top of matters to protect and advance the interests of our clients as best as possible in what promises to be a wild lame-duck ride.

Governor’s Race

Our in-house consensus “take” on this race and all others may vary from some of the pollster and media reports that you have been reading and hearing about. Jennifer Granholm and John Cherry still look well positioned to win, probably by close to double digit margins. The race could still tighten considerably, and indeed the Posthumus camp believes it will, but Republicans may have let slip away some potentially effective attacks by leaking them slowly as opposed to unleashing a “big boom” assault. Thus, the Democratic ticket has had time to inoculate itself on a number of controversial issues, and the race is probably now theirs to lose.

Secretary of State, Attorney General and State Board Races

All are more problematic than the Governor's contest, since the candidates are largely unknown to most voters. We think Gary Peters (D) holds the edge over Mike Cox (R) for Attorney General. In the Secretary of State battle, Terri Land (R) may be the most likely to win of any Republican on the state-wide ballot, but Melvin "Butch" Hollowell (D) is likely to make it close and could still emerge the winner. Historically, state educational boards (Board of Education, MSU Trustees, U of M Regents, Wayne State Governors) have gone the way of the top of the ticket. Thus, a Granholm win by a ten percent margin or more would seem likely to carry the entire Dem education slate, with maybe one or two exceptions.

State Senate

Republicans now control the Senate 23-15 and have controlled that body for nearly 20 consecutive years. Since GOP legislators wrote the State's new reapportionment plan, their continued control of the upper chamber would normally be a "slam dunk." Instead, Republican map-makers may have cut their margins too thin in a number of districts. Combined with possible coat-tails from the top, that could prove fatal to continued GOP control. Still, the odds slightly favor a Republican majority, but reduced to maybe 20-18. In the event of a 19-19 tie, John Cherry as lieutenant governor would cast a tie-breaking vote to assure Dem control for the first time since 1983. There are a lot of potentially close races. Among them:

Grand Rapids Area: Bill Hardiman (R) vs Steve Pestka (D). The Republican, if elected, would be the first black GOP state legislator since the 1920s. He's now the mayor of Kentwood and probably has an edge in this Republican leaning district. Pestka is an able two term representative.

Western Wayne County: Laura Toy (R) vs Eileen DeHart (D). Both candidates have served in the House. Toy probably has the edge, thanks mainly to her popularity in Livonia and a likely money edge.

Northeast Michigan: In this large Senate district running from Alpena to Midland, it may well be a toss-up. Our northern Michigan sources, though, say State Rep. Tony Stamas(R) is outworking and outspending State Rep. Andy Neumann (D). Dems really need this win for a shot at Senate control.

Kalamazoo Area: Rep. Tom George (R), a physician, is locked in a tight battle with popular ex-Rep. Ed LaForge (D). The ranks have healed after a bitter GOP primary and

the district is basically Republican, so LaForge will need a big boost from the top of the ticket.

Downriver Western Wayne County: This, too, is basically a Republican district, but GOP candidate Bruce Patterson's feud with fellow Republican Rep. John Stewart, could eat away at his base. Democrat Rep. George Mans is a folksy "people" person with a big downriver following. Still, a slight edge to Patterson.

Jackson-Battle Creek: Rep. Mark Schauer (D) has a strong support in all of Calhoun County, even outside his Battle Creek constituency. Rep. Mickey Mortimer (R), is likewise popular in his home Jackson County, but Schauer has the bigger population base. Close, but Schauer has the edge four weeks out.

Lansing Area: Rep. Paul DeWeese (R) has run an excellent campaign and is a candidate who has tapped in very well to many Dem constituency groups. Still, this is very much a Dem district and their candidate, Rep. Virg Bernero (D), is also no slouch. Up hill for DeWeese but may be doable.

Muskegon-Ludington Area: Rep. Jerry VanWoerkom (R) only slightly ahead of Bob Schrauger (D).

Saginaw Area: Sen. Mike Goschka (R) always runs well ahead of the GOP ticket, but this is Democratic territory in what may be a Dem year. Will it be enough to overcome the popular Goschka? We think it's possible ex-Rep. Mike Hanley (D) might do it.

Monroe-Adrian Area: Much like Goschka, Sen. Bev Hammerstrom (R) runs well in normally Democratic areas. She could be in for a very tight squeeze, but should slip by.

Bay County and the Thumb: Congressman Jim Barcia (D) got reapportioned out of a U.S. Congressional seat so he's seeking to return to the legislature where he started his political career. He should provide Dems with a seat pick up, succeeding term-limited Sen. Joel Gougeon (R), who's backing ex-Rep. Mike Green (R).

Also: In the Port Huron area, State Rep. Jud Gilbert (R) should win. . . We see a possible close race in Western Oakland County where a bitter primary and an attractive Dem candidate, may make things hot for Rep. Nancy Cassis (R). . . In Macomb County, Rep. Mickey Switalski (D) should win handily over Steve Rice (R).

House of Representatives

Close races are too numerous to describe. Nearly all observers think the GOP will retain and maybe add to their 58-52 margin. We are among the few in Lansing who aren't so sure that it will turn out that way. We give Dems a better chance at control than most observers. Still, House Republicans have more money and probably a better campaign organization. All we're saying is, don't be surprised if this turns out to be a shocker aided by the top of the ticket.

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