



Michigan ELECTION WATCH

February 21, 1992

Setting the Stage for the 1992 Elections

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Public Sector Consultants will publish analyses and commentaries on the 1992 elections under the title Michigan Election Watch. As in the past, we will examine the key issues, discuss the political fortunes and campaigns of candidates, and anticipate how the election outcomes will affect future state public policy. This is the first in the 1992 Michigan Election Watch series.

WHAT IS AT STAKE IN 1992?

There are four long-term and overriding questions at stake in 1992 state elections.

- Will the Republicans, if they retake the state House of Representatives, have free rein to redraw all state legislative and congressional districts in 1993, thereby almost assuring GOP control of the state legislature and congressional delegation until into the next century?
- Will "career" politicians like John Engler, Frank Kelley, Paul Hillemonds, and Lew Dodak be anachronisms if a term limit amendment to the state constitution is adopted?
- Will the property tax "crisis" of the past twenty years be solved by referendum, or will school finance reform (shifting K-12 reliance away from and cutting property tax burdens) dominate the 1990s as it did the 1970s and 1980s?
- Will united Republican control of state government accelerate the pace of conservative change toward smaller government and lower taxes?

Dominating 1992 will be the 110 elections for the entire Michigan House of Representatives. Partisan control of the lower chamber in 1993-94 is the biggest uncertainty and consequentiality of the November elections. Republicans believe they can regain control of the chamber, lost to the Democrats in 1968, and control both the legislative and executive branches of state government. Democrats believe they can preserve their House majority and thereby hold onto their one check against Republican domination of public policy.

The Michigan electorate will send sixteen people to the U. S. House of Representatives—a loss of two seats as a result of the 1990 census. With new—and, with one exception, geographically larger—districts, incumbents face their most competitive races since 1982.

Two state supreme court justices will be elected. Incumbent Justice Dorothy Riley's term expires; Justice Conrad Mallett, Jr., appointed by Governor James Blanchard in December 1991, must stand for the remaining two years of the term of his predecessor, Dennis Archer.

Republicans currently hold all the state education posts up for election this year (they were swept into office in 1984 by the Reagan landslide): On the State Board of Education, Dorothy Beardmore and Marilyn Lundy; on the Wayne State University Board of Governors, C. Gary Artinian and George N. Bashara, Jr.; on the Michigan State University Board of Trustees, Dean Pridgeon (to date the only incumbent who has

announced he will not seek reelection) and Engler-appointee Melanie Reinhold; and on the University of Michigan Board of Regents, Neal Nielsen and Veronica Smith. The partisan balance on all the boards is even or close: some are divided 4-4; on others the majority favors the Republicans 5-3. Democrats *could* gain control of every education board. (All candidates must be nominated at a state party convention.)

In addition to the above will be, of course, the presidential race. County officials, who run in presidential election years, also will be selected by voters. Judicial seats, too, will be filled.

Not all November elections are tests of individual candidates. What may well compete for headlines with control for the state House will be the voters' decisions on referenda. As of now, voters will decide *yea* or *nay* on three separate property tax changes and a constitutional amendment to limit terms of various elective offices. These issues may be joined by others that make it onto the ballot through petition drives or legislative action.

Neither the governorship nor a Michigan seat in the U. S. Senate seat is up in 1992. John Engler and Donald Riegler next face voters in 1994, and barring retirements and deaths, the state Senate—for which members all run at once every four years—will be controlled by Republicans through 1994.

THE MICHIGAN HOUSE OF REPRESENTATIVES

This land loves divided government, and, of late, partisans rarely have had a chance to control both the executive and legislative branches. The Democrats controlled the federal government from 1977-80, and they also controlled state government in 1983, but other than these aberrations, since 1968 the parties have had to share power both in Washington, D.C., and in Lansing.

The GOP has a chance in 1992 to gain majorities in both Michigan legislative chambers, which, with control of the governorship, would give the party a lock on Lansing. Since 1948 only George Romney in 1963-64 and 1967-68 has governed in a unified, Republican-controlled capitol. Republicans need to gain seven seats (currently Democrats outnumber them by a 61-49 margin) in the state House of Representatives to pull off this feat.

In the last twenty years the Republicans have come close to a House majority only once. In the 1984 Reagan landslide the GOP chalked up fifty-three seats, just two short of a tie and three short of control. Since 1968 Democrats have heard Republicans optimistically say "This is our year," but in every election the GOP has fallen short. Democrats take the GOP seriously this year, but many believe the Republicans are overly optimistic once again.

For many reasons—some easily understood, some arcane—having to do with the number of swing districts, reapportionment, population changes, presidential coattails, fund-raising, political organization, candidate recruitment, and retirements, Republicans *could* gain a dozen or more seats, ample for control. Even if some factors break in favor of the Democrats, the GOP still could gain the necessary seven seats. But if President George Bush does poorly, and if Engler's popularity declines, the Democrats *could* suffer no losses at all or even make small gains. Yesterday the Michigan Supreme Court's panel unveiled an apportionment plan that will be in force if the legislature and the governor cannot agree and adopt one of their own. How the court's plan affects incumbents and partisan fortunes will be the subject of another *Michigan Election Watch*.

CONGRESS, THE COURT, AND THE EDUCATION POSTS

Two hundred eighty-six years' seniority are at stake in the 1992 elections for the Michigan delegation to the U. S. House of Representatives. In great part because of this seniority, Michigan has a powerhouse

delegation. Compressing eighteen seats into sixteen automatically ushers out two members of Congress, along with their tenure, and Michigan's clout could be jeopardized further if there are upsets by feisty and well-financed challengers in two or three districts changed by reapportionment. Since the U. S. House is controlled by Democrats, the sizeable Democratic majority in the Michigan delegation (currently 11-7) has given the Michigan group added influence. When the final maps are unveiled by a federal court panel in March we will know whether there will be serious and well-funded challenges to incumbents and what the effect on the total delegation could be.

More difficult than beating an incumbent legislator is defeating a Michigan Supreme Court justice: It has happened only twice in twenty years. One of the defeated incumbents had been appointed, not elected, to the bench, and this is also the case for Justice Mallett, who must run for election this year and may face a tougher than usual bid to retain the seat. Not only did Mallett attain his incumbency through appointment, he never has sought statewide or other elective office, he is young (38) for a justice, and he has an "injudiciously" partisan background (political director to Detroit Mayor Coleman Young, worker on President Jimmy Carter's reelection campaign, and legal advisor and director of legislative affairs for Blanchard), which could trouble nonpartisans and Republicans in legal circles. Mallett enjoys one major plus: his incumbency; on the ballot it will be noted beneath his name by the words "justice of the supreme court." Of the current justices, three have been nominated by Republican state conventions, three by Democratic conventions, and one eschews partisan nomination, preferring independent status. Although neither Justice Mallett nor Justice Riley yet has announced electoral plans, both are expected to run.

In the 1960s and 1970s it was a given that Democrats would dominate the education boards. They had a huge edge over Republicans in voter identification, and while many Democrats crossed over to vote for Republicans like Governor William Milliken, they returned "home" to vote for the near-anonymous candidates for education positions. As the state became more evenly divided between Republicans and Democrats in the 1980s, the GOP started making considerable inroads into the university boards and the State Board of Education. Frequently, ticket-splitting for these posts—almost unheard of prior to the 1980s—resulted in one Republican and one Democrat being elected to each pair of open posts.

In the last presidential election year (1988), Bush won 54 percent of the vote. To each university board, one Republican and one Democratic candidate were elected. Two Republicans won seats on the board of education (one by a razor-thin margin of three thousand votes). Unless either or both parties put up "celebrity" candidates with household names, which they rarely do, a similar split may be expected in 1992 if Bush wins about 54 percent of the vote. If he wins less than 52 percent, watch for the Democrats to pick up both seats on each board; if his vote exceeds 56 percent, look for the Republicans to pick up all the seats. The dilemma for the GOP is that all eight incumbents are Republicans, and the loss of even one seat on each board could cost the party its majority.

THE REFERENDA

Property taxes are to Michigan politics what oil spills are to the Pacific coast. Everybody hates them, no one intended them to get out of hand, and nobody can figure out a way to stop them once and for all. Money, big money, is going into this year's near annual effort by politicians to pass the problem off to the electorate. As always, the fare offered voters is both well-intentioned (to change policy) and not (to achieve partisan gain).

The Democrats are trying to secure for the ballot an initiative to exempt the first \$30,000 of a home's value from school operating taxes. Republicans are trying—probably in vain—to keep the plan off the ballot by invalidating tens of thousands of the signatures gathered by the Democrats. Responsibly, the Democrats have come up with a way to pay for the lost revenue, but some people (namely business owners and

shareholders) question whether the proposed tax shift is responsible: It would eliminate the capital acquisition deduction on the single business tax.

Engler and the Republicans counter with a proposed constitutional amendment, again by petition drive. Their plan is to cut school operating taxes by 30 percent over five years and limit assessment increases to the lesser of 3 percent or the rate of inflation. The Republicans say that state revenue growth will suffice to reimburse school districts for the money they will lose in reduced property tax revenue.

In 1991 the legislature placed on the 1992 ballot a bipartisan proposal to limit residential assessment increases to 5 percent or the rate of inflation, whichever is less. When a house is sold, the assessment would be readjusted to reflect its new value. Such a plan may face constitutional hurdles (taxing a recently purchased house at a level far above that for an identical house next door), but equally important and more urgent is how to win voter adoption of a sensible, bipartisan, and narrowly focused referendum in the heat, complexity, and controversy of other well-financed referenda. Will voters be able to pick this one out from the pack?

Conventional wisdom and history hold that none of the property tax referenda will pass—voters will be confused by the options and skeptical of the intentions of the politicians who placed the questions on the ballot. In 1992 will large war chests, combined with ballot-fatigued voters seeking closure on the issue, finally cause one or more to pass?

Term limits also will be on the ballot. Polls show that about 70 percent of the public favor limiting the length of time an officeholder may stay in one post. Some money, perhaps \$500,000 to \$1 million, will be spent in promoting it; lots more will be spent to defeat it. The question is whether there is money enough to dissuade the voters from setting term limits, restricting both their and future voters' right to an unlimited field of candidates for legislator and governor as well as their representatives' right to seek reelection.

California, Oklahoma, and Colorado voters have approved term limits; in the State of Washington voters rejected them. Opponents look at the Washington results and think that similar arguments to defeat the measure will work in Michigan. There are important differences between the two proposals, however. Like the Washington plan, Michigan's would cap service both of state legislators and members of Congress, but the Washington proposal would have thrown out many long-serving members—including a major power, Speaker of the U. S. House Thomas Foley—almost *immediately*. In Washington previous years of service would have counted toward the limitation; in Michigan the clock would start running with passage of the proposal. Foley and others argue that term limitation foolishly would throw a state's seniority out the window, leaving other states' delegations to pile up decade after decade of seniority, clout, and bacon.

Michigan's proposal also would limit the service of the governor, lieutenant governor, attorney general, and secretary of state to only two four-year terms. A state senator likewise could serve only two four-year terms. State representatives would be held to three two-year terms. A U. S. senator could serve only two six-year terms in a twenty-four-year period, and a member of the U. S. House could serve only three two-year terms in a twelve-year period.

BETWEEN NOW AND NOVEMBER

On the way to the general election on November 3, voters face the March 17 presidential primary and then the August 4 general primary to select other nominees for the fall ballot. Petitions to place initiatives on the November ballot must be filed on or before May 27; those for a constitutional amendment have until July 7.

Future issues of *Michigan Election Watch* will focus on the parties' and the candidates' political fortunes, the effects of reapportionment, and the ballot issues. As always, we welcome your comments.