

Dems complain redistricting process leaves public out

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Minutes after Democrats unveiled their proposal Tuesday for the redrawing of district boundaries in the Michigan House of Representatives — the first and only apportionment plan to be submitted to the House Elections Committee — members voted to report the bill out, strictly along party lines.

But it was Republicans who voted in favor. Democrats passed on their own plan.

In fact, when it became apparent the GOP side intended to move so quickly in the hearing, Rep. Nancy Quarles, D-Southfield, who drew up the plan, tried to slow the process down, urging postponement. But committee chair Rep. Bruce Patterson, R-Canby, ruled that motion to be improperly made.

"I think everyone knows that they are not going to accept the plan that I put out there today," Quarles said, explaining she expects it will be heavily reworked when it reaches the full House.

"This just tells me they are not really working the process, that the process is really being skewed," she said. "This is too important — this is something that will be with us for the next

10 years — to not give it the right time and the right type of attention, and to get others involved in it. I stand here still questioning what will the Republican plan be."

Blank plan

The only document produced by Republicans was House Bill 4906, introduced on Thursday, June 14, by Rep. Andrew Richner, R-Grosse Pointe Park, which was literally blank, containing no maps, no descriptions of districts. Patterson described it as only a "vehicle" bill.

It is public comment and input that will get out of the process by moving the debate so quickly to the House floor, Democrats contended. No further public testimony was to be given until the plan was once again before the committee and goes to the floor.

"The committee had talked about holding hearings across the state over the summer," Rep. Ruth Ann Jamnick, D-Ypsilanti, said. "I'm incredibly disappointed that it is not going to happen."

Only two speakers addressed the committee in the hearing Tuesday afternoon. Both said they could not speak for or against the plan because they had had no time to review it.

'It's out there'

"Everybody's yapping that the

process has been violated. It hasn't been violated," Patterson said as he left the hearing room. "We moved a House substitute without recommendation. So now it is out there for the whole world to see. I think that's a good thing."

Asked if there will be an opportunity for public testimony on the plan, Patterson said: "I don't know. It could be referred to committee."

"The Democrats said they have been working on this plan and it's a beautiful plan and it adheres to all the Apol criteria. There are only a few breaks. We moved it," Patterson said.

Susan Herman, director of the Michigan Jewish Conference, urged committee members to give the public more time to examine the plan and provide input.

"This vote would only move the plan to the committee of the whole, to the full House," Patterson said to her. "Isn't that a better place for this debate to take place?"

"I'm a great advocate of the committee process, where the public can give input," she answered.

Patterson peppered Herman with a long series of technical questions about the process and apportionment standards, about

the criteria for fairness in redistricting first set down by state elections official Bernie Apol and adopted by the Supreme Court in 1981 as the standard for Michigan. He asked if the Apol criteria call for district boundaries which "break" municipal lines in the fewest possible number of places.

Cross-examined

And he asked whether Herman had heard the testimony from Democrats that their plan contained only 25 breaks in county lines and 19 breaks in city and township lines.

"I felt like I was being cross-examined," she said. "He's a very good attorney and I felt like I was in court. It's not supposed to be that kind of process. I know there would probably be some criticism of me for talking about process, but I just felt that this was going to be the one and only time for me to testify. It had to be said."

Herman said she doubts the public will get another chance to testify.

"Even if I had had a copy of Representative Quarles bill, this is all very complicated," she said.

"A computer generates these things. It's based on census data. To figure it out you need time. I've been to hearings on bills of lesser magnitude where they

have held hearings for weeks and weeks and taken public testimony."

Bill Flory of the Michigan chapter of the American Civil Liberties Union said his group's concern is that any plan comply with the Voting Rights Act. But the fast action gave the ACLU no time to review it.

"This is the first time I've been through redistricting, so for me it could be a matter of weeks," Flory said. "There are people in my office with a greater degree of knowledge about it, but this is not the kind of thing anyone can glance through in a matter of minutes and go, 'Oh yea, this works.'"

But he said he can foresee no further opportunity for public comment, "other than public comment through the press and people saying, 'Wait a minute, what's going on?'"

Even within the criteria, he contended, there could be a number of possible plans that would be good. But the public won't get a chance to make those comparisons now.

"You don't know what they are going to do on the House floor. There is always a chance that it will be an open process on the floor and that it will be fair," he said. "But right now, it looks like it's just going through."

Patterson and Rep. Nancy Cassia, R-Nowi, contended that the public will have the opportunity to comment on plans, by contacting their lawmakers by telephone or letter, as is the typical process for giving input on bills pending before the legislature.

Voting to support the Democratic plan were Patterson, Richner and Cassia, as well as Reps. Mike Bishop, R-Rochester, Jason Allen, R-Traverse City, and Doug Hart, R-Rockford. Quarles, Jamnick and Rep. LaMar Lemmons, D-Detroit, passed, resulting in a 6-0-3 vote.

New boundaries for state Senate seats and Congressional districts must also be drawn this year, but redistricting is set to begin in the Senate. Sen. Bill Schuette, R-Midland, chair of the Reapportionment Committee there, issued a call for submission of plans and analyses last week. On Thursday, June 14, he introduced Senate Bill 546 for Congressional reapportionment. Like the Republican House bill, Schuette's plan contained no maps and no descriptions of new districts.

Old district descriptions were merely crossed out. No bill redrawing state Senate districts has yet been introduced.

New legislation cracks down on telephone solicitors

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Legislation intended to crack down on telephone sales operations — creating a state "do not call list" and enacting a code of ethics for phone solicitors — may be popular with members of the state House of Representatives.

Several bills in the package passed in votes of 100 or more recently.

But at least one thinks lawmakers are being hypocritical.

"Politicians and most charitable organizations would be exempt from these new restrictions, despite the fact that they make up a significant portion of the unwanted phone solicitations. I fail to see how the legislature distinguishes between the unwanted calls of a politician and those of a business," said

Rep. Leon Drolet, R-Clinton Township.

"All citizens go shopping, but only a bare majority will ever show up at the polls," he continued. "If the unwanted discussion of commercial transactions in a private home is to become a crime, then consistency would dictate that the unsolicited advocacy of politics should become a capital offense."

Rep. Laura Toy, R-Livonia, disagreed.

"I led a consumers issue task force two years ago," she said, "and phone solicitation was a huge problem everywhere we went. People have a right to decide if they want to receive solicitation calls. This package addresses the concerns of Michigan residents and strengthens the usefulness and clarity of phone sales for those who rely on it."

'Do not call'

The five-bill package regulating solicitations won approval in the House of Representatives Thursday, June 14. It now heads to the Senate for review.

House Bill 4042, which would create a state "do not call" list through which consumers can sign up to block calls from telemarketers, was approved in a 99-1 vote.

All local lawmakers supported the measure, except Rep. Paul DeWeese, R-Williamston, who was absent for the day. Drolet was the sole dissenting vote.

HB 4154, requiring solicitors to give the name of the company from which they are calling and give a phone number for return calls, was approved 100-1. HB 4250, establishing a "code of ethics" for solicitors, was passed 102-1. HB 4632, making the bill a part of the Michigan Consumer

Protection Act, was approved 100-1.

Only HB 4631, requiring publication of instructions on how to get on the "do not call list" in phone directories, drew any additional opposition.

Reps. Mike Bishop, R-Rochester, and Bob Gosselin, R-Troy, voted against that piece of the package, but it still passed 99-9.

Drolet had several other complaints about the proposal.

"Few of us enjoy the uninvited intrusion of telemarketing calls," he said. "However, behaving rudely and disrespectfully

should not be against the law. Cluttering up our criminal and civil codes with prohibitions and regulations dictating what can be spoken over phone lines is a disproportionate and undemocratic response to this problem."

A group of lawmakers have introduced bills to add politicians, charitable organizations and public safety unions to the "do not call list."

House Bills 4861-63 are sponsored by Reps. Mark Schauer, D-Battle Creek, Ken Bradstreet, R-Gaylord, and Buzz Thomas, D-Detroit. So far, they have not received consideration.

Telemarketers who would be exempt from new regulations would be those that already have an ongoing business relationship with the prospective customer. Businesses with fewer than 25 employees are also exempt.

The package would require telephone solicitors to be licensed.

On the plus side for businesses, the act authorizes legal action to enforce sales contracts made through phone solicitations, if the business can show it has been in compliance with the law through each step of the sales process.

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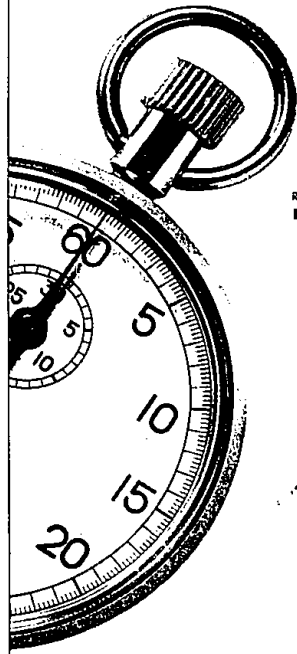
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