

## Agreement Governing Debates and Joint Appearances in Michigan's 2006 Gubernatorial Campaign

THIS AGREEMENT entered into by and between Governor Jennifer M. Granholm and Dick DeVos ("the Candidates"), and their respective campaign committees, governs the terms and conditions of the Candidates' debates and joint appearances during the 2006 gubernatorial general election campaign in Michigan. The Candidates and their respective campaign committees hereby agree as follows:

1. This Agreement encompasses all debates and joint appearances between the Candidates, their lt. gubernatorial running mates, campaign staffs, and spouses. The Candidates and their respective campaign committees shall make no further public or off-the-record demands, challenges, or comments concerning any other possible or additional debates or joint appearances between the Candidates, or their respective lt. gubernatorial running mates, campaign staffs, and/or spouses, except by mutual written consent, and they shall not accept any other offers that involve a debate format. Further, not later than September 27, 2006, the Candidates shall each obtain and furnish to one another a written agreement from their respective political parties to comply with this provision of this Agreement.

2. The Candidates, their respective campaign committees, and their respective political parties shall not broadcast or allow to be broadcast any paid television or radio advertisements concerning any of the Candidates on any television or radio station broadcasting a debate or joint appearance within thirty (30) minutes of the beginning or conclusion of any debate or joint appearance between these Candidates. Further, not later than September 27, 2006, the Candidates shall each obtain and furnish to one another a written agreement from their respective political parties to comply with this provision of this Agreement.

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3. There shall be three one-hour debates and one joint appearance between the Candidates as follows:

- a. The first debate ("Debate 1") shall be scheduled and broadcast live by WKAR-TV and WJBK-TV from the studios of WKAR-TV in East Lansing on Monday, October 2, 2006, from 8:00 p.m. to 9:00 p.m., and shall be made available for simulcasting, but not tape-delay, by other Michigan Public Television and Fox network television stations, and/or other network affiliated stations in Michigan via a satellite up-link. The debate may also be made available in real-time in the television stations' websites.
- b. The second debate ("Debate 2") shall be scheduled and broadcast live by WOOD-TV and WDIV-TV from the studios of WOOD-TV in Grand Rapids on Tuesday, October 10, 2006, from 8:00 p.m. to 9:00 p.m., and shall be made available for simulcasting, but not tape-delay, by other NBC and/or other network affiliated television affiliates in Michigan, including WOTV-TV, via a satellite up-link. The debate may also be made available in real-time in the television stations' websites.
- c. The third debate ("Debate 3") shall be scheduled and broadcast live by WXYZ-TV from its studios in Southfield on Monday, October 16, 2006, from 8:00 p.m. to 9:00 p.m., and shall be made available for simulcasting, but not tape-delay, by other ABC network affiliated stations,

and/or other network affiliated stations in Michigan via a satellite up-link. The debate may also be made available in real-time in the television stations' websites.

- d. There shall also be a joint appearance co-sponsored by the Economic Club of Detroit and Michigan Chronicle, and held in Detroit on Thursday, October 12, 2002 [sic] from 12:00 noon to 1:00 p.m. during which time each candidate will be afforded 15 minutes in which [sic] make remarks, and the Candidate may bring notes or the text of their remarks to which they may refer. No questions will be posed to either Candidate during this joint appearance.

4. The Candidates shall not bring [sic] with them, take into the debate, point to, hold up, wear, or otherwise utilize during any debate or joint appearance any books, notes, correspondence, news articles, photographs, documents, lapel buttons or pins, or any material or props. However, five (5) minutes prior to the commencement of each debate, each Candidate [sic]

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shall be provided at his or her podium, note paper or index cards not to exceed 4 inches by 6 inches and two pens and two pencils on which to make such notes as the Candidates may desire prior to air-time and/or during the debate itself. Plastic bottles of water shall be securely placed in the back of each podium.

5. For each debate, the Candidates shall each stand behind full-length podiums of identical shape and appearance, which shall be proportional as to the height of the respective Candidates, with no nameplates or other symbols, in front of a deep blue backdrop with their wireless dual lavalier microphones live at all times. Fixed microphones shall also be affixed to each podium as a back-up. For Debate 3 at WXYZ-TV each candidate will be affixed [sic] a wireless microphone. The podiums shall be equally canted toward the center of the stage at a degree to be determined by the television station's producer in consultation with the Candidate's debate representatives. The podiums shall not be more than ten (10) feet apart from each other; nor shall they be closer than eight (8) feet to each other; such distances shall be measured from the left-right center of a podium to the left-right center of the podium immediately next to it.

6. For each debate, there shall be color monitors situated in positions that can be viewed conveniently at all times by each of the Candidates.

7. Except for Debate 3 at WXYZ-TV, television cameras will be locked into place, but may be tilted or rotate as needed. Each camera to which a Candidate will direct his or her answers or statements shall be distinctively marked so that each Candidate can clearly determine where he or she should direct his or her remarks if desiring to do so into a camera. During Debate 3 at WXYZ-TV, one roving camera will be permitted, provided that such camera may be used only to take shots of the audience members asking the questions during the time that he or she is asking the question. Except for Debate 3 at WXYZ-TV, in no

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case shall any television shots be taken of any member of the audience from the time that the debate begins to air until the conclusion of the final closing statement.

8. During Debate 3, the Candidates shall be allowed, when answering a question directed at them or in rebuttal, to move out from behind the podium and walk the stage to address the audience. However, they must return to their position behind the podium prior to the other Candidate's turn at responding to the question.

9. There shall be no limit to the number of topics that may be discussed in any debate or joint appearance, nor shall any topics be specifically excluded from discussion in any debate or joint appearance. Further, the moderators of each debate shall insure [sic] that a wide-range [sic] of topics are [sic] discussed.

10. Except as otherwise provided herein, only the Candidates, moderator, panelists, and station technical staff shall be permitted on-stage five (5) minutes prior to the commencement of any debate and during the broadcast of the debate.

11. The set shall be completed and lit no later than 3:00 p.m. at the debate site on the day before the debate will occur. Each Candidate and or [sic] his/her staff shall be permitted to inspect the stage at least twenty-four (24) hours prior to each debate. Further, each Candidate shall be permitted to have the stage and equipment inspected by not more than three persons at least three (3) hours prior to each debate and again not less than twenty (20) minutes prior to each debate.

12. Each Candidate shall be entitled to one holding room for use prior to, during, and after each debate and joint appearance sufficient in size to accommodate the Candidate and his/her necessary staff members, each equipped with closed circuit televisions for viewing the debates as they are broadcast, and each stocked with beverages such as water, coffee, and soda.

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13. During the debates, *bona fide* members of the news media (or a press pool) shall be permitted to be in a separate room in the same building with closed circuit televisions to view the debate. Except as otherwise provided herein, no members of the Candidates' family or staff shall be permitted in the studio during the broadcast of the debates.

14. [sic] There shall be color lights utilized as time-keeping devices that are visible to both Candidates. The yellow light shall be activated to notify the Candidate that he or she has fifteen (15) seconds remaining in which to complete his or her, [sic] response, rebuttal, opening statement, and/or closing statements [sic]. The red light shall be activated to notify the Candidate that his or her time has expired. The moderators shall politely, but firmly and strictly, enforce the time limits.

15. The format for the live televised debates shall be as follows:

- a. For Debate 1, Tim Skubick of Michigan Public Television and Charlie Cain of the Detroit News shall serve as co-moderators, and there will be no studio audience. There shall be no formal rules, except that each Candidate shall have one minute for a closing statement and the co-moderators will use their best efforts to allocate equal time to both Candidates and equal time for both co-moderators to question the Candidates.
- b. For Debate 2, Suzanne Geha shall serve as the moderator (who will read questions emailed in from voters), and the panelists shall include Mike Wendland of the Detroit Free

Press, a news person from WDIV-TV, and a news person WOOD-TV [sic]. There shall be a studio audience limited to of [sic] eight (8) persons selected by each Candidate, all of whom must be either members of the Candidate's family, campaign staff, or State Party Chairs. No later than October 2, 2006, each Candidate shall provide the other Candidate with a written list of the names of the 8 persons selected to be in the studio audience. Before the debate goes on the air, the moderator shall instruct the audience that there shall be no applause or response other than silent observation, and that any audience member who violates this rule will be asked to leave the studio during the debate.

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- c. For Debate 3, Chuck Stokes shall serve as the moderator and there shall be two news anchor persons from WXZY-TV [sic], mutually approved by the Candidates, whom [sic] shall be panelists. In addition, there will be an audience of approximately 30 undecided, independent, non-partisan voters from Wayne Oakland [sic] and Macomb Counties (which audience shall be diverse with respect to race, gender, and age), whom [sic] will be selected by Tim Kiska, an independent pollster, and whom [sic] will be retained by WXYZ-TV. The names of the audience members shall not be disclosed by the [sic] Tim Kiska or his polling firm or WXYZ-TV. Further, following the debate, the studio audience shall not be polled, surveyed, or made available for new [sic] interviews. Finally, before the debate goes on the air, the moderator shall instruct the audience that there shall be no applause or response by audience members during the debate, and that any audience member who violates this rule will be asked to leave the studio during the debate.
- d. The moderators shall introduce themselves, their media affiliations, the panelists, and each of the Candidates by name and title as follows: "Dick DeVos." [sic] and "Governor Jennifer Granholm."
- e. During the moderators' introduction of the Candidates, each Candidate shall be identified by full name indicated above and title by character generator.
- f. For Debate 2 there shall be a one-minute opening statement by each of the Candidates.
- g. No question to a Candidate may exceed thirty (30) seconds.
- h. For Debates 2 and 3, the questions shall rotate between the Candidates. The responding Candidate shall have two minutes in which to respond. The opposing Candidate shall have one minute for a rebuttal. However, if in a rebuttal, a Candidate in any way criticizes his/her opponent, the responding candidate shall have thirty seconds to respond to the criticism.
- i. For Debate 3, during the second half of the debate, pre-screened questions will be read by members of the studio audience, rotating the questions between each of the Candidates. The responding Candidate shall have two minutes in which to ch to respond. The opposing Candidate shall have one minute for a rebuttal. However, if in a rebuttal, a Candidate in any way

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criticizes his/her opponent, the responding candidate shall have thirty seconds to respond to the criticism.

j. For Debates 2 and 3, each Candidate shall have a two-minute closing statement.

16. Not less than three (3) days before the first debate, five coin tosses shall be held, with the Campaigns rotating the call of the tosses. The winner of the first coin toss shall have the right to determine which candidate has the first closing statement in the first debate, and the loser of that first coin toss shall have the right to determine which candidate has the first closing statement in the third debate. The winner of the second coin toss shall have the right to determine which candidate has the first opening statement in the second debate, and the loser [sic?] of that third coin toss shall have the right to determine which candidate has the first closing statement in the second debate. The winner of the fourth coin toss shall have the right to determine which podium at which [sic] he/she will stand for the first debate, with the order rotated for the two remaining debates. The winner of the fifth coin toss shall have the right to determine which Candidate shall deliver his/he [sic] remarks first at the October 12, 2006 joint appearance in Detroit.

17. This Agreement shall be announced by the Candidates' campaign committees through a mutually agreed news release issued simultaneously by each campaign in substantially the form as set forth in Exhibit B appended hereto.

18. The Candidates agree that this Agreement has been jointly drafted and the terms herein have been mutually agreed upon.

19. This Agreement sets forth the entire agreement and understanding between the Candidates as to the subject matter of debates and joint appearances, and supersedes all prior

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discussions, representations, or understandings of every kind between their respective campaigns.

20. The Agreement may be amended only by the written consent of both Candidates.

21. This Agreement may be executed in any number of counterparts, each of which shall be deemed as original and all of which together shall constitute one and the same agreement.

September \_\_\_\_, 2006 \_\_\_\_\_  
Jennifer M. Granholm

September 25, 2006 \_\_\_\_\_  
(/s) Dick DeVos  
Dick DeVos

September \_\_\_\_, 2006 \_\_\_\_\_  
Howard Edelson

September 25, 2006 \_\_\_\_\_  
(/s) Greg McNeilly  
Greg McNeilly

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EXHIBIT A

We, the undersigned, do hereby agree to comply with the terms and conditions set forth in sections 1 and 2 of "Agreement Governing Debates and Joint Appearances In Michigan's 2006 Gubernatorial Campaign."

September \_\_\_\_, 2006 \_\_\_\_\_  
Mark Brewer  
Chair  
Michigan Democratic Party

September 25, 2006 \_\_\_\_\_  
(/s) Saul Anuzis  
Saul Anuzis  
Chair  
Michigan Republican Party

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EXHIBIT B

NEWS RELEASE

September \*\_, 2006

FOR IMMEDIATE RELEASE

(LANSING) – Governor Jennifer M. Granholm and Dick DeVos announced today that they have agreed to participate in three debates during this year's gubernatorial election, and a joint appearance before the Economic Club of Detroit. The candidates all expressed satisfaction with the final Debate Agreement, a copy of which is available to the news media upon request. After reviewing the numerous debate invitations that their campaigns received, the candidates agreed to the three debates which would receive the largest possible viewing audiences.

Granholm and DeVos will debate each other three times on live, televised broadcasts. On October 2, 2006, at 8:00 p.m., the first debate will be broadcast live from WKAR-TV in East Lansing and made available to all Michigan Public Television and Fox television stations, including WJBK-TV in Detroit. On October 10, 2006, at 8:00 p.m., the second debate will be broadcast live by WDIV-TV and WOOD-TV from the studios of WOOD-TV in Grand Rapids and made available to all NBC television stations in Michigan as well as WOTV-TV in Battle Creek. On October 16, 2006, at 8:00 p.m., the third debate will be broadcast live from the studios of WXYZ-TV and made available to ABC and CBS television stations in Michigan simulcast. Finally, the candidates will make a joint appearance and deliver remarks at a luncheon co-sponsored by the Economic Club of Detroit and the Michigan Chronicle on October 12, 2006.

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**Agreement Governing Debates and Joint Appearances in Michigan's 2006 Gubernatorial Campaign**  
 Amendment to Enable Participation by the Two Candidates Mentioned in the Initial Agreement  
 in a Full Five-Party Debate October 18 at Community Media Network in Troy

**To:** "Dick DeVos Jr. -- Candidate for Governor/Republican Party" <info@devosforgovernor.com>  
 "Jennifer Granholm -- Candidate for Governor/Democratic Party" <webmaster@granholmforgov.com>

**cc:** "Douglas Campbell – Candidate for Governor/Green Party of Michigan" <naderladuke2000detroit@yahoo.com>  
 "Gregory Creswell – Candidate for Governor/Libertarian Party of Michigan" <i.am4\_gcreswell@yahoo.com>  
 "Bhagwan Dashairya – Candidate for Governor/US Taxpayer Party of Michigan" <bdashairya@yahoo.com>  
 "H. Jay Wiencko, Jr. – Executive Director/Community Media Network" <jay@cmntv.org>  
 "Charlie Langton – Moderator" <CLangton@LangtonLaw.com>

Jennifer M. Granholm ("Granholm" or "the Democratic candidate") and Dick DeVos ("DeVos" or "the Republican candidate"), with their respective campaign committees, in order to benefit the voters they seek to lead for the next four years by providing them with a chance to hear from all five of their choices for governor on the November 7 ballot, hereby agree to amend their previous agreement (limiting debate in the 2006 gubernatorial general election campaign in Michigan) as follows:

22. Either the Democratic or the Republican candidate or both may publicly discuss, and/or participate in, a candidate debate to be held on Wednesday, October 18 in the studios of Community Media Network ("CMN") at 1230 Souter Blvd.; Troy, MI 48083; (248-589-7778). CMN will tape the debate, and may also show it live to its viewers. CMN will make copies of the debate available to individuals or public-access television stations, for possible showing or cablecast, upon request and payment of costs.

The taping is scheduled to begin at 5:30pm. Charlie Langton, host of his own public-affairs program on WXYT-AM, will be the moderator. The panelists will be journalists or other suitable persons arranged for by Langton. The format of the debate will be basically the same as other candidate debates and forums held by CMN in the past – which have typically lasted for one hour, divided half-and-half between a question-and-answer period with rebuttals and a moderated open-floor discussion. The details will be explained by Langton before the taping.

CMN has already received confirmations from Douglas Campbell ("Campbell" or "the Green candidate"), Gregory Creswell ("Creswell" or "the Libertarian candidate"), and Bhagwan Dashairya ("Dashairya" or "the US Taxpayer candidate"). The Democratic and Republican candidates are invited to participate as well.

CMN, Langton, and the panelists will try to give all candidates a fair and equal chance to present their views to the public. The positioning of candidates, the order of speaking, preparation space available, and all other such matters shall be determined by some fair method (in consultation with the candidates participating, as appropriate) within the time available before the debate begins.

Candidates shall be identified by their names, as they appear on the official candidate list of the Bureau of Elections, along with their party affiliations. The identification may be done by physical signs, letters superimposed on their images whenever they are speaking on camera, and/or any other method(s) within the capability and convenience of CMN. The letters shall be of the same type face, font, and size for all candidates. If a candidate so desires, and can supply appropriate materials to CMN in a form that suits CMN's capability and convenience, a copy of the party vignette which will appear at the top of the party's column on the ballot may be shown at the same time as the candidate's name and party affiliation. If a candidate does not participate, then (at the convenience of CMN and if the candidates present agree) that candidate will be represented by an empty chair, podium, etc.

There will be no limit on the topics which may be discussed in the debate. Candidates who participate in the debate may make any comments they wish, in the time available to them during the debate, about their own platforms and positions or those of their present or absent rivals – including comments about the presence or absence at the debate of any given candidate on the ballot.

Any *bona fide* member of the news media (or press pool) who may want to observe the debate and/or talk with any candidate(s) after the event should contact CMN to arrange to be present in a way that suits CMN's facilities, capabilities, and convenience and minimizes interference with the actual conduct of the debate.

CMN, Langton, any of the candidates (or their campaign committees or political parties), and any "purchasers" of copies may publicize the debate, before or after the event, as they see fit.

October \_\_\_\_, 2006 \_\_\_\_\_  
 Jennifer M. Granholm

October \_\_\_\_, 2006 \_\_\_\_\_  
 Dick DeVos

October \_\_\_\_, 2006 \_\_\_\_\_  
 Granholm campaign representative

October \_\_\_\_, 2006 \_\_\_\_\_  
 DeVos campaign representative