



# Garton coming to grips with political volcano

## *Bosma cuts health care for life; exodus coming?*

By BRIAN A. HOWEY in Indianapolis

Senate President Pro Tempore Robert D. Garton and Majority Floor Leader David Long said Wednesday morning they have hired an actuary to study the fiscal impact on the legislator health care for life program.

The *Louisville Courier-Journal* reported that the law forces the state to pay the employee portion of the state health insurance plan chosen by the lawmaker. It costs the state between \$3,826 and \$5,174 a year to pay the premium of an individual lawmaker, or between \$10,711 and \$14,511 a year if the lawmaker chooses a family plan, according to the non-partisan Legislative Services Agency. The recipient's share of that total premium can be no higher than 24 percent, depending on the plan, with the state picking up at least 76 percent, according to the Legislative Services Agency (Weidenbener, *Louisville Courier-Journal*). One plan requires no payment from a lawmaker or employee. The state's share of the current retired lawmakers' insurance premiums costs about \$300,000 annually.



Senate President Bob Garton let Majority Floor Leader David Long answer many of the questions, but blamed the lifetime health for legislators plan on State Rep. Craig Fry. (HPR Photo by Brian A. Howey)

"We have hired an actuary to try and understand these numbers a little bit better," Long, R-Fort Wayne, said at a Statehouse press conference this morning just hours after House Speaker Brian C. Bosma ended the program for House members. "I can tell you whatever has been suggested previously ... those numbers are grossly inaccurate. All these issues have to be handled by actuaries to be sound. When we



**"We are now in the unnatrual state of Eastern Time."**

— House Minority Leader B. Patrick Bauer, after the federal government rejected St. Joseph County's petition to move to Central time

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present our ideas and solutions, that will be available and we won't have any problem showing those to you."

Asked if he regretted instituting the program that could cost taxpayers a "hefty" amount, as described by State Auditor Connie Nass, Sen. Garton said that "Sarbanes-Oxley (Act) requires the projection. It did not require that projection five years ago. So we're complying with the federal law."

Nass has told HPR that it is the federal Government Accountability Standards Board that requires all state and local governments in the United States to disclose non-pension, post-employment benefits.

Garton said he did not instigate nor write the luxurious perk. "The vote on the law that had been sent to us by the House, there were three votes against it," Garton explained. "The Senate amended it and sent it back to the House. They didn't like our amendments because we designated who would be the employer. I believe there were 10 House votes against it."

When pressed on the number of the bill by HPR, Garton explained, "There were a couple of bills that were involved." Long said that one was vetoed by then Gov. Frank O'Bannon. "That was a funding source for the program itself and there was misunderstanding and confusion through the conference committee report and the governor vetoed it for whatever reason and the Senate sustained the governor's veto."

### Three acts in 2001, 2002

Statehouse sources tell HPR that the shadowy law was constructed during the 2001 and 2002 sessions in three House acts.

HEA 1667 (2001) defined the president pro tempore as the "public employer" or "employer" with respect to former members or employees of the Senate, defined the speaker as such for former members or employees of the House, and defined the legislative council as such for former employees of the Legislative Services Agency. This provision was merely a definition needed to help breathe life into the plan, and was mentioned in the fiscal impact statement, which was silent as to any cost.

HEA 1193 (2001) added IC 5-10-8-8.4 to the code made an election concerning retired employees' premiums and Medicare coverage and program eligibility irrevocable. Again, the fiscal impact statement mentioned the provision but was silent as to cost.

HEA 1196 (2002) made an annual appropriation from the fund established under IC 2-5-1.1-17 for employer-paid benefit charges or premiums arising as a result of elections made by legislative employers. Even though this section specifically referenced an annual appropriation, the 19-page

## Contested Legislative Primaries

### Democratic

**HD 1:** State Rep. Linda Lawson vs. Lake County Councilman Ron Tabacynski.

**HD 71:** State Rep. Carlene Bottorff vs. Steven Stemler.

### Republican

**HD 20:** State Rep. Mary Kay Budak vs. LaPorte School Trustee Tom Dermody.

**HD24:** State Rep. Rich McClain vs. Cass County Commissioner Rick Eller.

**HD57:** Shelbyville Councilman Rob Nolley vs. Shelby County Councilman Sean Eberhart

**HD58:** State Rep. Woody Burton vs. Johnson County Council President Ron West.

**HD69:** State Rep. Billy Bright vs. Brent Mullikin.

**SD27:** State Sen. Allen Paul vs. Richmond City Council President Bruce Wissel

## Races with local elected officials

**HD 31:** State Rep. Tim Harris (R) vs. Blackford County Commissioner Larry Hile (D)

**HD63:** State Rep. Dave Crooks (D) vs. Washington School Trustee Ron Arnold (R). ❖

fiscal impact statement for the bill did not mention this provision of the bill.

How omitting an *appropriation* from the fiscal impact statement of a bill defies logic.

The citation for IC 2-5-1.1-17 simply reads "Reserved."

### Garton chaired hearings

Asked why there were no public hearings, Garton responded, "Absolutely wrong. Flat false. The Rules Committee I chaired, we had a full hearing. We must have had an hour, hour and a half, two hour hearing. I can't remember. We had a full hearing on it."

A random sampling of Statehouse reporters at the press conference couldn't find any who recalled the public hearing. Garton said that details could be found in the legislative journal.

Asked why he helped pass a plan that insured even ex-spouses of lawmakers, Garton said, "I was not involved with the drafting. You'll have to ask the sponsors."

Who were the sponsors? Garton responded, "Rep.



Mike Smith, Rep. Craig Fry, by golly ... That's five years ago." Smith left the House several years ago to head the Indiana Casino Association.

House and Senate sources have told HPR that it was instigated by Garton and then-House Speaker John Gregg, D-Sandborn, a notion reported in several Indiana newspapers today. The Fort Wayne Journal Gazette explained today, "In 2002, then-Speaker John Gregg and Garton set up the benefit allowing lawmakers who retire with six years and one day of service to lock in for life the current employee rate of contribution for monthly health insurance premiums."

### ***Bosma's difficult decision***

Bosma officially ended the health care for life program for House members who will serve beyond Nov. 7, 2006. "As you may realize, the speaker of the House is given the sole responsibility as employer for House members to determine many of the provisions of this benefit and may revise prior determinations made by previous speakers," Bosma said in a letter to House members.

Bosma called the decision "very difficult" but added it "is a decision I believe to be important for our institution and for the citizens of the state of Indiana." He said future House retirees will be covered under the federal Medicare program "in the same manner as virtually every other Hoosier."

### ***Mass exodus coming?***

As HPR has been reporting for the past couple of weeks, this could trigger a wave of retirements of House members who will not want to lose a benefit that could cost Hoosier taxpayers hundreds of millions of dollars. Last week, State Rep. Bob Hoffman, R-Connersville, announced he would not seek re-election. He would have been challenged by Union County Councilman Tom Knollman in the Republican primary.

Several lawmakers were quoted in Wednesday editions as saying they might leave. "I'm a single mother," State Rep. Vanessa Summers, D-Indianapolis, told the Post-Tribune. "I have to take care of my family."

State Rep. Dave Crooks told the *Louisville Courier-Journal*, "If I get my calculator out, it probably should affect my decision (on whether to run again in 2006). But I'm probably going to run. If you take a small, independent businessman like myself, it's a considerable benefit." Crooks is facing a challenge from Washington School Board member Ron Arnold, a Republican.

"I realize this decision may affect some of us as we make our decisions to stand for election in 2006," Bosma said.

Currently there are 19 former House members, their spouses, minor children and ex-spouses who will be able to

draw on this benefit for the rest of their lives, according to Tony Samuel, spokesman for Bosma. "Folks never voted for this benefit specifically," Samuel said.

Last Friday, out-going Republican Chairman Jim Kittle Jr. told HPR that the benefit should be cut "back to zero." Samuel said the benefit was passed "over several bills during several sessions."

Estimates on this lucrative perk and its impact on Indiana taxpayers have ranged anywhere from "hundreds of millions of dollars" to a billion. When the billion dollar figure was originally cited by majority Senate and House members, Sen. Luke Kenley told HPR that that number "was probably 20 times too high." Even so, that would put an unfunded liability on taxpayers in the tens of millions of dollars. State Auditor Connie Nass said it will be "hefty" and wants to conduct an actuarial study. State Rep. Vern Tincher told HPR that the benefit isn't "free," as was originally reported. But Tincher couldn't tell HPR how much he paid. WTHR-TV reported Tuesday night that the benefit is "free," though Kipper V. Tew, counsel to House Minority Leader B. Patrick Bauer, also noted that members pay costs, ranging from \$710 to \$1,900 a year, far below what most Hoosiers pay.

Sen. Garton told the *Evansville Courier & Press* he had actuarial figures on the cost of the program to Indiana taxpayers, but refused to reveal them publicly. Garton explained, "You have expectations and you live up to them. We don't intend to break trust. In fact, we won't break trust."

Asked by an Associated Press reporter if he was concerned that it looked as if lawmakers were just trying to protect themselves when 14 percent of Hoosiers have no coverage and the National Federation of Independent Businesses cites the 20 percent annual premiums as a huge stress on job creation, Garton said, "The staff is included in the health care program. I suppose if you want to characterize it as a tax-paid program, the Medicare program is tax paid as well."

Sen. Long explained, "We're going to look at an answer based on changing times and the fact that we feel, just like the House leadership does that we need to review this plan and make some modifications. Whether we have the exact same solution of the House, we probably won't.

HPR asked, "Wouldn't it be prudent on your part to get the entire record out as to how this whole thing occurred?"

Long, "What I am trying to focus on is to modernize the plan and make changes. That is definitely going to happen."

In the January 2006 edition of *Cato's Tax & Budget Bulletin*, tax expert Chris Edwards investigates the bureaucracy of state governments and argues that the "nation's 16 million state and local government workers form a large, growing, and well-compensated class in society" (*USA Today*). ❖



## The Kittle legacy

By BRIAN A. HOWEY

INDIANAPOLIS - Tom Milligan. Jim Neal. Bruce Melchert. Gordon Durnil. Jim Kittle Jr.

Where does Jim Kittle, the outgoing Republican chairman, and his legacy stand in the annals of Indiana politics?

"None of us in good conscience can ask you to do more than you already have," Gov. Mitch Daniels said to Kittle last Friday as he prepared to name J. Murray Clark as Kittle's successor. "It's very difficult to find a person who might match the qualities Jim Kittle brought -- energy, selflessness, relentless drive, the ability to bring people together -- but I think we have such a person in Murray Clark. He has all those qualities."

It was a throwback to times when Republicans were headed in the same direction. In his book *"Throwing Chairs and Raising Hell,"* Gordon Durnil noted of the early 1970s, "There was also party harmony, not common in Republican circles at the time. Gov. Otis Bowen, Lt. Gov. Bob Orr, State Chairman Thomas Milligan and a strong consensus of the Republican leadership worked together toward a common goal."

Durnil also noted that James T. Neal was a "true peacemaker and decisive leader" who helped salve the party's wounds after the wars between Doc Bowen and Gov. Edgar Whitcomb. Later, it was Durnil who presided over the party's five-term apex in the governor's office.

St. Joseph County Republican Chairman Chris Faulkner told HPR, "Jim Kittle will be remembered as the Bulen to Mitch as Keith was to Lugar. He stepped up, when many could only offer criticism for our party structure, and did an extreme makeover. He started almost from scratch and made Indiana's state Republican Party a force to be reckoned with and a model to other states."

**Under Kittle's leadership,** a Republican governor was elected for the first time in 20 years, defeating a sitting governor for the first time in 112 years; Republicans regained a majority in the General Assembly for the first time in eight years and Republicans achieved a net gain of two Congressional seats and swept the election of six other statewide offices. Also under Kittle's leadership, the State Party raised more than \$21.5 million to build an infrastructure second to none and provided contributions to Republican candidates across the state.

Strong fundraising combined with frugal spending placed the party with a record-level cash balance in excess of \$1.1 million to begin this year.

"I believe it's time for our party to begin a new chapter and time for me to return to business and family life as I once knew it," Kittle said. "I resign my post with a sense of

accomplishment. In 2002, I campaigned for state chairman on a Blueprint and we're now able to declare victory on that mission. As Gov. Daniels has said many times, the 2004 election was a start line, not a finish line. My ultimate goal was to help elect a governor who would lead Indiana providing opportunities for more young people to stay here. I'm so proud of this governor and our team across the state and I'm confident that our state and our party are on the right track."

**Kittle tended to play the "bad cop"** in the 2004 gubernatorial race, compiling a pamphlet entitled "The Legacy of Neglect" that was widely distributed, while Daniels took a more positive posture on the campaign trail. The strategy clearly got under the skin of Gov. Joe Kernan, who during his



Gov. Mitch Daniels applauds as out-going Republican Chairman Jim Kittle Jr. passes the torch to former state senator J. Murray Clark last Friday. (HPR Photo by Brian A. Howey)

2004 convention acceptance speech said, "We have heard the claim that he will run a clean campaign. Then they distribute thousands of copies of this trash, their version of the *National Enquirer*, all over Indiana. Distorted, demeaning and distasteful."

Clark said he was contacted by Gov. Daniels a couple of weeks ago about taking the job, saying he was "surprised" by the opportunity. Clark, who resigned from the Senate after 11 years last month, said Republicans "will work very hard to maintain majority in the House, add a couple of seats, and re-elect (Prosecutor) Carl Brizzi." Clark added, "In 2008, it's my No. 1 goal that Mitch Daniels is re-elected governor."

**Clark has a reputation** for raising money and as a charmer. "He could charm a soup bone away from a skinny dog," said former Chairman Rex Early, who saved the GOP from bankruptcy in the early '90s and paved the way for Al Hubbard to preside over the 1994 tsunami.

But it was Kittle who got the party back to the governor's office. ❖



## Howey Column, Jan. 17, 2002: Pondering the 'house divided'

By BRIAN A. HOWEY

INDIANAPOLIS - Next Wednesday, the 18 members of the Indiana Republican Central Committee will meet to choose a new party chairman.

Some of these people might believe that the decision they make is their business and none of some nosy columnist. But the mere fact that only 18 will be making this decision instead of the 20 last time around is indicative of a state that has lost a Congressional seat, its clout, and some say, its path. Throw in the 40,000-plus jobs that have evaporated here in the last few years and a case can be made that the decision they make is everybody's business.

The Indiana Republican Party is one of the state's proudest institutions and it could have a huge impact on how we position ourselves for this new century. At times in the past when the GOP lost its way and discipline -- like in the 1920s when the Ku Klux Klan took over -- bad things happened to our state.

The race for chairman features two primary candidates at this writing -- 5th Congressional District Chairman John Earnest of Marion, who narrowly lost the chair to Rex Early in 1993 and has sat on the Central Committee for more than the past decade, and businessman Jim Kittle, who earlier this year formed the ancillary Phoenix Group to try and help reposition the party.

In pondering this Earnest-Kittle showdown, three events come to mind. The first occurred on June 16, 1858, in Springfield, Ill. In accepting a U.S. Senate nomination, Abraham Lincoln gave one of his greatest speeches, when he intoned, "A house divided against itself cannot stand."

Essentially, the Indiana Republican Party is a house divided today. Kittle and other party financiers formed the Phoenix Group not as a hobby, but because they had funded, then witnessed more than a decade of the state GOP as a sleeping giant, undisciplined and factionalized, veering off a moderate path, falling behind in technology, and losing a series of critical elections that has eroded its power base.

**The Phoenix Group is not without precedent.** In 1965, a year after the Indiana Republican Party was shelved in the LBJ landslide and a series of maverick candidates, one of which was L. Keith Bulen, stung the status quo. It was Bulen who formed the insurgent Republican Action Committee in Indianapolis. Like the Phoenix Group, it grew and grew until it became the mainstream, supplanting the old Marion County Republican organization.

Bulen's move essentially created the foundation for one of the most successful modern political machines in American history. It dominated Indiana politics from 1966 through 1987, created Unigov, and elected three Republican governors over five terms, three U.S. senators, dominated the Indiana General Assembly and big city mayors.

The third event occurred in June 1986. That's when a former Democratic secretary of state and gubernatorial candidate, Larry Conrad, rose up before his beleaguered party and nominated Evan Bayh for statewide office. I can still hear Conrad's voice thundering in the convention hall: "If not him, then who? If not now, then when?"

**Evan Bayh went on to win as** secretary of state, then struck what would be a lethal blow to the GOP machine that the diverse elements of Bulen, Doc Bowen and Bob Orr had created and maintained for two decades. In Bayh's seismic wake, a new Democratic Party was born and it has gone to dominate areas of Indiana government that it knew it could maneuver -- the governor's office for going on 16 years, the Indiana House for almost half of the Bayh and Frank O'Bannon era, and now Indiana's largest cities -- Indianapolis, Fort Wayne, and South Bend.

Kittle's *Blueprint for 2002* may be doing for him what the Peterson Plan did for Indianapolis Mayor Bart Peterson in 1999. Kittle's plan opens with the statement, "Unite all elements of party operations. We will reach our potential when we all work together."

Kittle said he will "consolidate resources,...collaborate with counties and candidates to develop a cohesive statewide election plan." In a section titled "*Empower County Organizations and Energize Our Base*," Kittle advocates investing 100 percent of the personal license plate funds to the county parties in 2002. Kittle also vowed to raise \$500,000 for the four statewides, \$500,000 for key legislative races, "protect our current Congressional seats" and "target at least one Congressional candidate." He said the GOP should "develop the most accurate voter name lists."

**Kittle quoted President Lincoln** in the *Blueprint's* conclusion: "Things may come to those who wait, but only the things left by those who hustle."

Former Gov. Orr is among a growing number of Republicans who see in Kittle the kind of architect Bulen was. "It's the only time I know of where there's been direction on where the party should go," Orr said of the *Blueprint*. "I'm strong for the man. Kittle's the right man for the time."

U.S. Rep. Mike Pence noted that while he had the "highest regard" for Earnest, he is backing Kittle who as "a business leader will give Indiana Republicans a resounding advantage in leveling the playing field."

Eighteen Republicans have an interesting ... no ... make that a critical decision to make next Wednesday for a state that will pay dearly in the future if the status quo is good enough. ❖





**Gary Gerard**, *Warsaw Times-Union* - Eighteen hours and more than 700 questions later, Judge Samuel Alito's inquisition has ended. And despite all the wailing and gnashing of teeth by the Democrats, it seems as if he will be confirmed to the U.S. Supreme Court. There won't be a filibuster. There will probably be delays and obfuscations, but he will be confirmed. And frankly, he should be. By all accounts – and by all accounts I mean the Democrats couldn't find anybody to say mean stuff about him – Alito is eminently qualified. He has the intellect. He has the judicial temperament. He has the judicial philosophy. He has it all. But, gasp, he might be a conservative. And for heaven's sake we can't have any more of "those people" on the court. It might tilt the court to the right. You know what? That's absolutely correct. Alito and Chief Justice John Roberts might tilt the court to the right. To that, I only have one observation. So what? That's the way it works. When the Democrats have the White House and a vacancy on the Supreme Court arises, they can tilt the court to the left. That's what they did during the Clinton administration when Ruth Bader Ginsburg was nominated. .

**Jack Colwell**, *South Bend Tribune* - Gov. Mitch Daniels is well aware that his plan to lease the Toll Road to private operators is taking a toll on him in the South Bend and Elkhart areas. He stopped to talk about it as he headed for his Statehouse office after his State of the State address Wednesday night. "All these questions about it are good questions," Daniels said. "This should be debated openly." He repeated in conversation what he had proclaimed shortly before from the speaker's podium in the Indiana House chamber. But he added words of explanation that he hopes will convince folks along the Toll Road corridor that he isn't really out to steal their highway. Higher tolls he will impose could bring a billion dollars in bonding authority for long-stalled highway projects around the state, Daniels agreed. Critics of his lease plan say he should do just that, use bonds and not sell the right to operate the Toll Road for 75 years or more. But Indiana has a \$2.8 billion shortfall in needed financing for those long-delayed infrastructure projects, the governor said. He wants to move quickly on his "Major Moves" program, not just get a partial start on some. What if he could get more than \$2 billion right now, up front, by leasing the Toll Road? That plus some other maneuvering, including building an interstate from Indianapolis to Evansville as a toll road, would enable him to move on projects he mentioned in his speech -- Hoosier Heartland Corridor, new Ohio River bridges, I-69 from Indianapolis to Evansville, the Gary airport and the project he

stresses in seeking to persuade the South Bend area, U.S. 31 improvements. "I won't sit here for four years saying what a great project it (U.S. 31) is and not do anything to find money to pay for it," said Daniels. He makes no exact promise of what could be accomplished on improving U.S. 31 from South Bend to Indianapolis. Now, the first actual groundbreaking for any part of that project is scheduled for 2011. He does promise some speed-up on the project in a way that would make the South Bend area one benefiting most from a Toll Road lease. Daniels says that if the lease is successful, a third of the money could go for projects benefiting Toll Road corridor counties. ❖



**Lou Jacobson**, *Roll Call* - Indiana hasn't voted for a Democratic presidential nominee since 1964, and it probably won't again in 2008 - unless the nominee is (U.S. Sen. Evan) Bayh, who was elected twice as governor and twice as Senator. "I think he might be the only Democrat who could win the state" in a presidential election, said state Democratic Rep. Russ Stilwell. Despite Indiana's rock-ribbed Republican record in presidential elections, Bayh, a committed moderate with a squeaky-clean image, is widely seen as a likely winner, as long as he chooses a running mate acceptable to Hoosiers. "You don't routinely pull 60 percent of the vote and then have people turn around and reject you at the apex of your political career," said Brian Howey, who publishes an Indianapolis-based political newsletter. Indeed, one of the strongest arguments for the Democrats' nominating Bayh would be that, in a close election, he could pull Indiana's 11 electoral votes and possibly the support of other Midwestern battlegrounds. "This is a guy who spent however many bucks on paid media over 20 years, and that doesn't count earned media," said political newsletter publisher Ed Feigenbaum. Indiana is at the crossroads of the Midwest, he said, making Bayh "well known in the Chicago media market, the Detroit media market, the Cincinnati media market and the Louisville media market." ❖

**Sylvia Smith**, *Fort Wayne Journal Gazette* - A few weeks back, Rep. Mark Souder mused that House Republicans don't need a refresher course on ethics, "we need people with ethics." With Casino Jack warbling to prosecutors, Duke Cunningham awaiting his prison sentence and also singing to the feds, Rep. X awake at night in terror of how bad it will be for him, Rep. A's former aide pleading guilty to helping his boss solicit bribes, Sen. Bill Frist facing insider trading questions and all of Washington wondering who's next and how many lawmakers are scandals waiting to explode. ❖



## Vargus has Daniels numbers up

**TRENDLINE No. 1:** A new poll released by Marketing Informatics and conducted by Brian Vargus shows Mitch Daniels with a higher approval rating than other public polls found recently (Shella, *WISH-TV*). It puts the governor's approval at 50.8% in a poll conducted before the State of the State. Disapproval is 35.9%. The same poll put the President's approval at 43..



## 2006 Congressional Races

**U.S. Senate: Republican:** U.S. Sen. Richard Lugar. Democrat: Open. **1988 results:** Lugar (R) 1,430,525, Wickes (D) 668,778. **1994 results:** Lugar (R) 1,039,625, Jontz (D) 470,799, Bourland (L) 17,343, Barton (A) 15,801.

**2000 Results:** Lugar 1,425,150, Johnson(D) 680,046, Hager (L) 33,896. **2006 Forecast:** U.S. Sen. Dick Lugar accepted one box of 29,000 signatures that officially put him on the May 2006 Republican primary ballot this morning outside Secretary of State Todd Rokita's office at the Indiana Statehouse.

Lugar was the first to file for office in Indiana when the filing commenced at 9 a.m. It runs until noon Feb. 17. Lugar is seeking a record sixth term and does not have an announced Democratic or primary opponent. He said the key issues in 2006 will be education, energy self-sufficiency and continuing to secure nuclear weapons that could be sought by terrorists. He also refused to rule out running beyond the sixth term, saying that he always "uses practical judgment" and "essential factors." Lugar was first elected to the Senate in 1976.

"Our plan has always been to focus on races that we have an excellent chance of winning," said Mike Edmondson, executive director of the Indiana Democratic Party (*Times of Northwest Indiana*). Edmondson said he was sure a Democrat will challenge Lugar, but no one has filed yet. "There's no question that Senator Lugar is a formidable candidate," he said. "That certainly doesn't make it easy to recruit

candidates." **Status:** *SAFE LUGAR.*

**Congressional District 2: Republican:** U.S. Rep. Chris Chocola. Democrat: Ed Cohen, Joe Donnelly.

**Geography:** South Bend, Michigan City, Mishawaka, Elkhart, Kokomo, Plymouth, Logansport; LaPorte, St. Joseph, Starke, Marshall, Pulaski, Fulton, Cass, Carroll and parts of Howard, Porter, Elkhart and White counties. **Media Market:** South Bend-Elkhart, Indianapolis, Lafayette, Chicago. **People:** Urban/rural 73/27%; median income \$40,381; Poverty 9.5%; Race 84% white, 8% black; 5 Hispanic; Blue/white collar: 34/50%. **2000 Presidential:** Bush 53%, Gore 44%; Cook Partisan Voting Index: R+5; **2002 Result:** Chocola 95,081 (50%), Long Thompson 86,253 (46%); **2004 Result:** Chocola 140,496 (54%) Donnelly (D) 115,513 (45%) **2006 Forecast:** A continuing transition from U.S. coalition forces to Iraqi-led army and then Iraqi police should help in speeding up the return of American troops. Chocola said Tuesday (Pryzbyla, *LaPorte Herald-Argus*). Chocola visited Iraq for a second time last week, traveling to Baghdad and Mosul as part of a six-member Congressional delegation. Chocola visited The

Herald-Argus Tuesday to talk about his latest trip. There's speculation, Chocola said, that a force of 100,000 coalition troops will remain in Iraq after greater stability is established, but he said there is "no goal of having a permanent base." He called 2006 "a critical year" in Iraq as the American military presence gradually plays a reduced role as the Iraqi army and police grow in strength. Police forces have diminished from 205,000 to 152,000 in the war-torn country, but the congressman said

the reduced number isn't due to Iraqi police stations being targeted by suicide bombers. It's more a case of quality of the police force taking precedent over the quantity of officers, Chocola said, adding that recruiting efforts have been more successful. Donnelly accused Chocola of being "out of touch with the needs of middle-class families here in Indiana." Donnelly cited recently passed budget cuts as an indication that Chocola supported \$12 billion in cuts from student loan programs and more than \$7 billion from Medicaid programs for children and families. Chocola said in September that Congress needed to prioritize its spending in order to offset \$61.8 billion in appropriations geared to providing relief for



Sen. Lugar gets a box of 29,000 signatures as he prepares to file for a sixth term on Wednesday at the Indiana Statehouse. (HPR Photo by Brian A. Howey)



the victims of Hurricane Katrina. Eventual passage of a bill calling for \$50 billion in cuts over five years drew praise from Chocoma and brickbats from Democrats. Bill Burton, Democratic Congressional Campaign Committee spokesman, complained in November that the House bill "went straight at student aid." "We all agree that our country has to have fiscally sound policies," said Donnelly, who said that after Katrina, "we had to take a look at our budget. But Chris is on the wrong path and going after the wrong programs," Donnelly asserted Thursday. Instead, Donnelly argued that Congress should have gone after "over \$10 billion in tax breaks for energy companies like ExxonMobil." In addition, "we could have gone after over \$20 billion in Medicare money" that Donnelly said could have been saved if Congress had chosen to negotiate prices with drug companies when prescription benefits were added to Medicare coverage. Donnelly criticized Congress for approving \$25 billion in transportation fund "earmarks" that led to such things as the infamous "bridge to nowhere" in Alaska. "That's Chris Chocoma's budget program. That's not Joe Donnelly's program," the Granger Democrat said. Donnelly said he will "go after the ExxonMobils," go after the transportation earmarks and "sit down with pharmaceutical companies to negotiate prices so that people on the west side of South Bend and in Rochester and in Logansport can have lower prescription costs." **Status:** *Leans Chocoma*

**Congressional District 3:** Republican: U.S. Rep. Mark Souder. **Democrat:** Fort Wayne Councilman Thomas Hayhurst. **Geography:** Fort Wayne, Goshen; Kosciusko, Whitley, LaGrange, Steuben, DeKalb and parts of Elkhart and Allen counties. **Media Market:** South Bend-Elkhart, Fort Wayne. **People:** Urban/rural 65/35%; median income \$44,013; Race: 87% white, 6% black, 4.5% Hispanic; Blue/white collar: 36/52% **2000 Presidential:** Bush 66%, Gore 33%. Cook Partisan Voting Index: R+17. **2002 results:** Souder 92,566 (63%), Rigdon 50,509 (34%). **2004 Results:** Souder, Parra **2004 Results:** Souder 171,389 (69%), Parra 76,232 (31%). **2006 Forecast:** Fort Wayne's medical community forms the backbone of Tom Hayhurst's donor list, with doctors, dentists, their spouses and employees contributing \$12,900 of the \$40,980 he raised in the past three months (Smith, *Fort Wayne Journal Gazette*). Hayhurst, a retired physician and city council member, hopes to be the Democrat who runs against Rep. Mark Souder, R-3rd, in the fall. Hayhurst slowed in his four-quarter fundraising compared with the amount he raised in the summer, when he posted \$63,893. Hayhurst has \$87,649 in the bank. Souder reported \$44,339 on hand Sept. 30. His year-end report covering the

past three months is not due until the end of the month.

**Status:** *Likely Souder*

## 2006 State Races

**Senate District 26:** Republican: Andrew Phipps. Democrat: Sue Errington, Lewis Colter, Muncie School Trustee Jennifer Abrell. **1998 Results:** Craycraft (D) 16,824, Wenger (R) 13,414. **2002 Democratic Primary Results:** Craycraft 9,653. Dixon 2,288. **2002 General Results:** Craycraft (D) 16,939, Phipps (R) 16,330. **2006 Forecast:** Errington officially filed on Wednesday, one of the first in the state to do so. **Status:** *TOSSUP.*

**Senate District 29:** Republican: State Sen.-Elect Mike Delph. Democrat: Open. **2002 Results:** Clark 19,657, Fleming (L) 1,706. **2006 Forecast:** We now expect Delph to be slated by Marion County Republicans on Jan. 21. **General Status:** *LIKELY DELPH*

**House District 1:** Republican: Open. Democrat: State Rep. Linda Lawson, Lake County Councilman Ron Tabaczynski. **2002 Results:** Lawson 5,867, Myra Rosenbloom (R) 3,012. **2004 Democratic Primary:** Lawson 2,963, Pucalik 2,684. **2004 Results:** Lawson, 11,926, Baffa (R) 7,820. **2006 Forecast:** Lake County Councilman Ronald Tabaczynski, D-Hammond, said this week that he is still intent on leaving the council, although he has shifted his focus away from running for county treasurer. He said he now is considering a return for the state Legislature (Dolan, *Times of Northwest Indiana*). Tabaczynski said Monday that he hadn't made any official announcement about dropping plans to run for treasurer but that he did some soul-searching after his defeat last fall in a party caucus to Treasurer John Petalas. "What I'm seriously considering is returning to my legislative seat, the 1st House seat currently held by Linda Lawson. Personally and professionally, I always enjoyed the Legislature. When I left in 1998 I said I wanted to come back some day. My decision has nothing to do with whether Linda runs or not," he said. State Rep. Lawson couldn't be reached for comment. **Status:** *Leans D.*

**House District 31:** Republican: State Rep. Tim Harris. Democrat: Blackford County Commissioner Larry Hile. **2002 Results:** Rep. Dean Young 9,046, Raju (D) 3,909. **2004 Results:** Harris 10,480, Hile 10,330. **2006 Forecast:** The key battleground in East Central Indiana for Indiana House seats will likely be the rematch of Rep. Harris, R-Marion, and Hile, according to Dan Parker, chairman of the Indiana Democratic Party (Yencer, *Muncie Star Press*). The House District 31 seat in Blackford and Grant counties was the closest among 100 House races in 2004. "There will be a couple of issues that will blow back on Republicans," Parker predicted. He believes Republicans will suffer because of their move to balance the state budget at the expense of local property taxpayers, and





because they withheld new state funding to public schools in the 2005-06 budget. The state Republican organization's top priorities in ECI are to get Harris and Rep. Bill Davis, R-Portland, re-elected and look for opportunities to take seats held by Democratic Reps. Dennis Tyler of Muncie and Phil Pflum of Milton in Henry County. Jobs, education and property tax relief are among issues on the Republican agenda, Hollowell said. "We have seen evidence that reforms brought by Gov. Mitch Daniels have brought new thinking," she said. Among those reforms are Daniels's use of tax amnesty funds to repay money owed to public schools, Hollowell explained.

**Status:** *Tossup.*

**House District 46:** Republican: Reid Dallas.

Democrat: State Rep. Vern Tincher. **2002 Results:** LaPlante (R) 8,079, Tincher (D) 7,275. **2004 Results:** Tincher 11,533, LaPlante 10,799. **2006 Forecast :** Reid Dallas (R-Ellettsville) announced his candidacy for House District 46. The seat is currently held by Vern Tincher, a Democrat. Dallas has a BS in public affairs from Indiana University. He is a sales representative for AstraZeneca Pharmaceuticals. "Job loss and stagnant economic development threaten the very fabric that makes Indiana so wonderful," Dallas said. "Hoosiers of West Central Indiana deserve a hand and voice who will seek solutions to the challenges they face. It's time for active leadership to arrive in the Indiana House of Representatives for the people of District 46." Dallas pledged to fight for common sense solutions that focus on: Hoosier job creation; expansion of quality healthcare coverage; education reform; controlling wasteful government spending; protecting Hoosier's privacy and property rights; protecting the family budget through lower taxes. **Status:** *TOSSUP.*

**House District 48:** Republican: State Rep. Timothy Neese. Democrat: Open. **2002 Results:** Neese (R) 10,251, Carter (D) 5,248. **2004 Results:** Neese (R) 18,241. **2006 Forecast:** Elkhart County Council President John Letherman will not challenge Neese, whose candidacy was bolstered by a recent fundraising appearance by Lt. Gov. Becky Skillman. But the *Elkhart Truth* had trouble pinning Letherman down on a decision. **Status:** *SAFE R.*

**House District 55:** Republican: Union County Councilman Tom Knollman. Democrat: Open. **2004 Results:** Hoffman 17,410, McGlothen (D) 6,864, Marcum (L) 800. **2006 Forecast:** State Rep. Robert Hoffman's announcement last week that he won't seek re-election this year came as a surprise to the man who expected to oppose him in the May primary (Tharp, *Richmond Palladium-Item*). Union County Councilman Tom Knollman announced in August he would seek the Republican nomination for Hoffman's seat. Knollman said Friday he'll file to run for the 55th District seat on Wednesday, the first day of filing in Indiana. "I'm sorry it came

down to this. I was looking forward to a primary contest. At this time, I don't know of anyone else who plans to run," Knollman said. "It's time for this area to be represented." If Knollman is elected to the House, he'd be the first representative from Union County in more than 100 years. Hoffman said he'd intended to run again until just the last few weeks. "I've been there 10 years. Phyllis (Hoffman's wife) and I decided together we didn't want to be tied down so much. I felt it was time to smell the roses," Hoffman said. "Having an open seat usually attracts candidates," Hoffman said. "I'll be helping anyone who runs against (Knollman)." Knollman, 39, is in his first term as a county councilman. He said economic development for the district and property tax reform will be his primary issues. Knollman said he's received the endorsement of the Union County Farm Bureau and will speak to the Fayette County Farm Bureau and Dearborn County Republicans later this month. **Status:** *LIKELY R.*

**House District 57:** Republican: Shelbyville Councilman Rob Nolley, Shelby County Councilman Sean Eberhart. Democrat: . **2002 Results:** Stine (R) 8,384, Wheeler (D) 5,429, Jester (L) 508. **2004 Results:** Messer (R) 16,004. **2006 Forecast:** Sean Eberhart, president of the Shelby County Council, announced Monday that he is seeking the Indiana State House District 57 seat on the Republican ticket (*Shelbyville News*). The seat is currently held by Rep. Luke Messer, R-Shelbyville, who announced Dec. 15 that he will not run for another term. Eberhart, 39, will be vying for the Republican nomination, along with Rob Nolley, who announced his intentions on Dec. 16. Nolley currently serves as president of the Shelbyville Common Council. "The state needs to give control back to us locally, not only to city and county governments, but to the schools," Eberhart said in a prepared statement. "Too many times, the state mandates programs but doesn't provide the proper funding and local oversight." Property taxes will be an important issue in the Indiana House this year. "The state continues to rely more and more on property taxes, switching the burden with reassessments and adding and subtracting exemptions," he said. "We need to start moving away from property taxes as a primary source of revenue and shift to a more fair way of paying for government services." **Primary Status:** *TOSSUP.*

**House District 64:** Republican: State Rep. Troy Woodruff. Democrat: Kreg Battles. **2002 Results:** Frenz 10,516, Davis (R) 8,774. **2004 Results:** Woodruff 12,698, Frenz 12,507. **2006 Forecast:** State Rep. Troy Woodruff, who used the health care for life issue against incumbent John Frenz in his narrow 2004 upset, told the *Evansville Courier & Press*, "When I tell people about it, they can't believe it." **Status:** *LEANS D*



**House District 69:** Republican: Billy Bright, Brent Mullikin. Democrat: Dave Cheatham. **2002 Results:** Lytle 9,777, Newell 7,678. **2004 Results:** Bright 12,639, Lytle 11,018. **2006 Forecast:** Brent Mullikin, an openly gay Republican made a singing debut at the Statehouse Wednesday *Advance Indiana*). Mullikin, who was part of the Singing Hoosiers for three years, stopped on the steps of the Capitol to sing "Oh What A Beautiful Morning" from Rogers and Hammerstein's production of "Oklahoma" before he entered the building at 10:45 a.m. After filing, Mullikin sang, "Back Home Again in Indiana" before returning back home to Jennings County. **Status:** *Leans R.*

**House District 86:** Republican: Kathryn Densborn. Democrat: State Rep. David Orentlicher. **2002 Results:** Orentlicher 9,909, Atterholt (R) 9,872. **2004 Results:** Orentlicher 15,178, Large (R) 13,261, Goldstein (L) 585. **2006 Forecast:** Orentlicher probably gave his campaign manager heartburn for this copy in the Muncie Star Press on Wednesday. Oregon remains the only state in the nation to have a physician-assisted suicide law, which was upheld Tuesday by the U.S. Supreme Court. The law covers only extremely sick people who are of sound mind and have six months or less to live according to two or more physicians.

But "the ruling doesn't make it possible for people outside of Oregon to receive assisted suicide," said David Orentlicher, a professor of law at the Indiana University School of Law and an Indiana state legislator. In fact, the ruling has no effect on any other state, including Indiana, Orentlicher said, except that "if they want to pass a similar law, they'll know that the federal government won't be able to interfere." Physician-assisted suicide is a controversial issue, though it generally does not generate the sort of emotion that the abortion debate does. "In some ways, people are more comfortable with assisted suicide because it involves a person and their own lives," Orentlicher said. **Status:** *LEANS D.*

**House District 92:** Republican: State Rep. Phil Hinkle. Democrat: Robin Olds. **2002 Results:** Hinkle (R) 10,935, Kirkpatrick (L) 888. **2004 Results:** Hinkle (R) 16,158, Swinford (D) 9,488. **2006 Forecast:** This Wayne Township seat is trending Democratic and Olds, a volunteer of Planned Parenthood, stands to give Hinkle his first credible challenge. Olds lives in Pike Township and will be campaigning full time. She told HPR that she was upset by Hinkle's opposition to Mayor Peterson's Indy Works plan. "I am concerned about property taxes," she said. "That made me decide to run." **Caucus Status:** *LEANS HINKLE* ❖

## Bayh under fire for remarks

U.S. Sen. Evan Bayh, a 2008 presidential contender, is under fire for weekend remarks over the firing of a missile in Pakistan that killed 18 people.

CNN was reporting today that U.S. counterterrorism officials say al Qaeda's chemical weapons expert was "in the vicinity" when CIA airstrikes last week hit a dinner gathering believed to include terror-



ists in a Pakistani mountain village. They said Midhat Mursi could have been killed in the attack but stressed they cannot confirm that he was. Mursi, a 52-year-old Egyptian commonly known as Abu Khabab, ran a chemical and explosives training camp for terrorists in Derunta, Afghanistan, before the fall of the Taliban, officials said.

Strand Analytical Labs of Indianapolis may be making the DNA analysis of the remains.

**The Boston Globe, however, was critical** of the U.S. response to the strike, naming the Bush administration and Sen. Bayh. "When teenagers show no remorse for mistakes, we call in the therapist," the Globe reported. "When killers show no remorse, we want life sentences or death row. When the United States makes deadly mistakes, remorse is unnecessary, because, of course, it is never our fault."

**The weekend talk shows had** influential senators issuing remorseless support of the mistake. Senator Evan Bayh of Indiana, a Democratic member of the Senate Intelligence Committee, basically blamed Pakistan for the mistake. "It's a regrettable situation, but what else are we supposed to do?" he said. "It's like the wild, wild west out there . . . the real problem here is that the Pakistani government does not control that part of their own country."

The *Christian Science Monitor* reported on the same "what are we to do?" comment and then answered, "Well, an unequivocal expression of such regret in a personal phone call to Musharraf could have been one option."

Bayh also was the target of remarks on WBAP in Dallas by talk show host Mark Davis, this time on Iran. "What we do not need is American politicians looking skittish about what we might have to do," Davis said. "Sen. Evan Bayh, an Indiana Democrat, is part of a small chorus of voices already distancing from a military solution, choosing instead to blame the Bush administration for ignoring Iran for four years." ❖



## **Eight counties move to Central time**

INDIANAPOLIS - Eight more counties will be part of the Central time zone in Indiana because of a U.S. Department of Transportation final decision released Wednesday (*Whitson, Evansville Courier & Press*). Daviess, Dubois, Knox, Martin, Perry, Pike, Pulaski and Starke counties will move into the Central time zone April 2. All but Pulaski and Starke are in Southwestern Indiana. "This rule reflects careful consideration of every public comment we received," U.S. Secretary of Transportation Norman Mineta said in a statement. More than 6,000 comments were logged on the change. In a statement, Daniels called the final decision a "substantial improvement" because Indiana is now more in line with the global economy by observing daylight-saving time. But the governor also acknowledged the move to daylight-saving time and subsequent time zone debate took its toll. "This effort took more time and energy than anyone ever intended, and I share the feelings of those whose patience was tried along the way," Daniels said in a statement.



## **Pence endorses Shadegg**

WASHINGTON, D.C. - U.S. Rep. Mike Pence sent the following letter to members of the Republican Study Committee today announcing that he is endorsing Rep. John Shadegg for Majority Leader. "My choice is John Shadegg," Pence said. "While I see Roy Blunt and John Boehner as conservative men with honorable records of service in Congress, I am proud to endorse John Shadegg for Majority Leader of the United States House of Representa-

## **Opposition to Major Moves growing**

INDIANAPOLIS - If Northwest Indiana opposes leasing out the Indiana Toll Road, it surely didn't show on Wednesday. No one -- not a single interest group, local official or concerned citizen -- from Lake, Porter or LaPorte counties came to the Capitol to speak against Republican Gov. Mitch Daniels' plan to leverage more than \$2 billion by turning the Toll Road over to a private firm (Guinane, *Times of Northwest Indiana*). That's not to say the 75-year lease deal is without its detractors. "Nearly 90 percent of my (constituent) surveys have come back against it," said Rep. Chet Dobis, D-Merrillville. "Most of the comments I got were on the public-private lease and on the possibility of selling it to a foreign entity." About a dozen opponents from other parts of the state came to Indianapolis to testify against the plan during Wednesday's meeting of the House Ways and Means Committee. "The governor has asked us to be open-minded about this," said William Boyd of Bloomfield, in southwest Indiana. "I think the governor is so open-minded that his brains fell out."

## **Canned deer hunting bill passes House committee**

INDIANAPOLIS - The first skirmish in the legislative fight surrounding high-fenced hunting of white-tail deer went to the proponents Wednesday when the House Natural Resources Committee voted 11-1 to legalize animal hunting preserves (Kelly, *Fort Wayne Journal Gazette*). Confusion reigns as to whether the preserves were already allowed to exist. About 15 operate now in Indiana and the owners contend they are legal under the state's game breeder's permit. But new Department of Natural Resources Director Kyle Hupfer

announced in August that it is his opinion that the permit never allowed canned hunts of deer behind a fence.

## **Education bill moves**

The House Education Committee voted 7-5 along party lines Wednesday to approve a key portion of Gov. Mitch Daniels' legislative agenda, but not until after some superintendents and education officials questioned the details (*Fort Wayne Journal Gazette*). Fort Wayne Community Schools Superintendent Wendy Robinson even brought a prop along -- a giant red "easy button" made famous by Staples commercials. "Everything that seems simple is not simple," she said.

## **Gulledge files for Vanderburgh sheriff**

EVANSVILLE - When David Gulledge was Evansville's police chief, he enjoyed making tough decisions. Now he hopes to have the same opportunity as the next Vanderburgh County sheriff (*Evansville Courier & Press*). Gulledge filed Wednesday morning for the sheriff's race. He will face Vanderburgh County Sheriff's Sgt. Robert Goedde in the Republican primary in May. Goedde said he plans to file Feb. 1. Chief Deputy Sheriff Eric Williams, a Democrat, also has said he will run for sheriff.

## **Lugar praises Tobias**

WASHINGTON - U.S. Senate Foreign Relations Committee Chairman Dick Lugar praised the naming Randall Tobias to head the U.S. Agency for International Development. He also praised steps being taken by Secretary Rice to Transform the State Department. "Secretary of State Condoleezza Rice has launched important restructuring and repositioning in the State Department. This is a monumental task, but one that must be undertaken."

