



# 1st Indiana forecast for 2014, 2016

### Obama, Pence will shape next 2 election cycles

By **BRIAN A. HOWEY**

INDIANAPOLIS – With the Indiana General Assembly session over and Gov. Mike Pence’s first session preliminarily marked up in his “win” column, Howey Politics Indiana offers the first analysis of the potential impact on the 2014 and 2016 election cycles.

The dynamic in place with both cycles revolves around the twin centers of the two chief executives – Gov. Pence and President Obama – in determining what political impacts will be in place to forge congressional and legislative majorities as well as to determine emerging figures state-wide.

The legislature delivered and Gov. Pence signed a tax-cut package that is historic in nature due to its size. The administration was able to claim – with little blow-back from Democrats, other than not expanding traditional Medicaid with an estimated 30,000 related jobs in tow – about 90 percent of its agenda passing. This included the



Gov. Mike Pence outside of the White House and President Obama in Elkhart with an unemployed Hoosier Ed Neufelt. The actions of these two men will impact the Indiana election cycles of 2014 and 2016. (HPI Photo by A. Walker Shaw)

regional work councils, an expanded emphasis on vocational education, a \$300 million increase in education, \$400 million in pre-kindergarten programs, \$70 million increase

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## Where the buck stops

By **BRIAN A. HOWEY**

NASHVILLE, Ind. – Mr. President, the buck stops with you.

President Truman set that standard, with these very words posted on a sign on his Oval Office desk.

But now, with over a thousand days left in this second Obama administration, we find a Nixonian stench emerging from the “W. House.”

What we’ve witnessed this past week has been a stew - some issues like Benghazi simmering for for months - while the Internal Revenue



**“If being a telemarketer is the top skill set for a congressman, I might as well sell ads on my radio stations. People like my radio stations. They hate our Congress. I now understand why.”**

- Dave Crooks



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Service's treatment of Tea Party groups was known to insiders and then exploded into the public consciousness last week.

As a reporter, I was most incensed about the monitoring of Associated Press phone calls, but at least there was a plausible reason for it when Attorney General Eric Holder described a Department of Justice leak involving a terror airliner plot.

The Benghazi story has emboldened Republican conspiracy theorists, but what sticks out at me is the fact that Ambassador Chris Stevens ventured out to a CIA facility with only four security personnel and no obvious Plan B once the RPGs began to fly. This was a logistics problem and, having occurred on Sept. 11, a lack of recognition of the historic relevance coming in a sector that had 60 other terror related events in the previous six months, while coming in a revolutionary state.

The IRS component has echoes of Nixon era enemies lists, spying, using the FBI to track political henchmen and that sort. Paging Daniel Ellsberg, paging Daniel Ellsberg.

**Particularly when** acting IRS Director Steven Miller wrote in a USA Today op-ed article, "Mistakes were made, but they were in no way due to any political or partisan motivation. We are — and will continue to be — dedicated to reviewing all applications for tax-exempt status in an impartial manner."

I couldn't believe the wording, that conjured up Watergate: ". . . mistakes were made . . ."

Yikes!

What the IRS - and possibly

the Obama administration - has done is played right into the hands of some of the Tea Party and Patriot groups who sensed conspiracy and political malfeasance beginning three years ago. Some of this mistrust was warranted, some of it hyped. Some misguided. But now the Obama regime has provided authentication to what some had seen as paranoia.

And we all know, paranoia will destroy. It's worked that way for leaders from Richard Nixon to B. Patrick Bauer.

In the Oct. 14, 2012 edition of HPI, we reviewed Alfred Zacher's book "Presidential Power in Troubled

Second Terms." We learned that of the 20 presidents reelected (now 21 with Barack Obama), only nine were considered a success and one of those, Abraham Lincoln, lasted a mere six weeks before he was assassinated.

**It's worth a refresher** course from Zacher, who lives in Fort Wayne: "Twenty presidents have been elected to a second term, a threshold for greatness. Yet, for many of these, frustration, failure and even disaster followed their reelection. For a relative few, success meant overcoming seemingly insurmountable obstacles, while for others apparent success was followed by failure in the judgment of history. The second term has been a time of great stress or travail to such presidents as Jefferson, Monroe, Grant, Cleveland, Wilson, Franklin Roosevelt, Johnson, Nixon and George W. Bush."

Zacher asks, "What caused this great variation; why have presidents faltered and so few succeeded? It is in the second term that the elements of presidential leadership



V18, No 4 Weekly Briefing on Indiana Politics Thursday, Sept. 13, 2012

### The peril of 2nd term presidencies

Of 20 who served twice, only 9 were deemed successful by Fort Wayne author

By **BRIAN A. HOWEY**  
INDIANAPOLIS, Ind. — The case against a second term for President Obama has been, thus far, centered on the rapid economic opposition to the Obamacare health reforms and the stimulus package. His supporters point to his drone-kill assaults on Al Qaeda, his ending of the American combat in Iraq, his rescue of the American auto industry and the move toward



more fuel-efficient cars and trucks. But from a historical perspective, there have been 20 presidents who have had second terms and by the accounting of Fort Wayne author Alfred J. Zacher (pictured, left) in his new book "Presidential Power in Troubled Second Terms" (Telegraph Press), only nine of them could be considered a success. And one of those, President Abraham Lincoln, had a second term lasting only five weeks before he was assassinated.



Any list of America's greatest presidents is dominated by those who have been elected to a second term. As historian Michael Beschloss (who is speaking at the Benjamin Harrison home in Indianapolis tonight) stated, "One of the best things a sitting President can do to burnish his reputation among future generations is to get reelected." It is the second term that not only tests the mettle of the

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are crystallized, when innovation can be implemented and authority expanded."

Americans expect from a second term president security, a lack of foreign threat, not veering from the path, fair play, and law and order.

They reject hubris, expect an expanding economy, no war, reliable communication, and integrity.

**Since President Obama** took his second oath, we've endured the Boston Marathon bombing, the potential of Syrian weapons of mass destruction ending up in the hands of al-Qaeda allied groups despite Obama's "red line," a stubbornly high jobless rate, and the president taking Republicans out to dinner and golf after little reach out in the four prior years. He was stuffed on the gun background check bill in the Senate, and a "grand bargain" on the budget and deficits is now getting swamped by the events that only give credibility to the paranoia, antagonism and skulduggery.

When ABC's Jonathan Karl asked Obama on May 1 whether he still had "the juice," the President responded in Mark Twain fashion: "Rumors of my demise may be a little exaggerated at this point."

## 2014 & 2016, from page 1

in child services, and \$100 million in increased road funding.

The other immediate dynamic is the so-called "second term curse" that appears to be descending on the Obama administration. The variety of emerging scandals involving Benghazi, the Internal Revenue Service actions against Tea Party and conservative groups, and the Department of Justice monitoring of Associated Press reporters is potentially explosive stuff that could have a distinct impact on the 2014 mid-term elections. Of this tri-headed scandal hydra, the IRS component is potentially the most explosive.

In addition, the nexus of Obamacare scheduled to come to fruition in 2014, and whether the federal government will sign off on the Pence administration's push to use the Healthy Indiana Plan instead of expanding traditional Medicaid, offers up some of the most compelling public policy opportunities and dilemmas in a long time.

As we learned at the end of last week when Ken-

At this point? Yikes!

That conjured up images of April 18, 1995, during the tormented first term of President Clinton when he had to insist, "The president is relevant here, especially an activist president."

Of course, we all know how the Clinton second term played out: Sex scandal and impeachment. At least Clinton was creating jobs and keeping us out of wars.

Yes, Mr. President, the buck stops with you.

On Wednesday, Obama called the IRS conduct "inexcusable" and added, "I am angry about it" after canning the acting commissioner, vowing to hold perpetrators "accountable" and promised to work with Congress.

**U.S. Rep. Darrell Issa** told CNN that the President "set the right tone" and called it "a good first step."

With so much at stake, with Obamacare ready to be fully implemented next year (some skeptics are predicting a delay until after the mid-terms), with a dire need for a "grand bargain" to get the nation's finances in order at a time when 10,000 Baby Boomers retire every day, this President needs to get a grip. ❖

tucky opted into traditional Medicaid expansion, Indiana is now an island, with all surrounding states taking the federal government's offer of covering all costs through 2020.

While Illinois Gov. Pat Quinn and Kentucky Gov. Steve Beshear are Democrats, Republican Govs. Rick Snyder of Michigan and John Kasich of Ohio are also seeking Medicaid expansion, but at a potential political cost. Last Thursday, Republican-led Michigan legislative panels rejected expanding Medicaid eligibility to 320,000 Michigan residents next year but left open the possibility of reversing course in coming months if changes can be made to the health insurance program for the needy. Snyder told the Associated Press his administration would step up its lobbying of legislators. "Isn't that a much better situation than putting someone in position of saying they have to go to the emergency room, they have to wait for it to become a crisis?" Snyder said.

Republican legislators in Ohio also are trying to squelch a move that would add 300,000 to the Medicaid rolls, as they are in Florida and Arizona, where Republican Govs. Rick Scott and Jan Brewer have opted into Medicaid. Gov. Kasich said this week that he would support a ballot initiative to expand Medicaid, although he is still holding out hope that the state legislature will pass an expansion



V18, N31 *Weekly Briefing on Indiana Politics* Thursday, April 11, 2013

### Pence is alpha on Medicaid course

Governor emerges in firm control over decision with far reaching impact

**By BRIAN A. HOWEY**  
INDIANAPOLIS - While much focus has been put on Gov. Mike Pence's tax cut during this General Assembly session, it is the Medicaid/Healthy Indiana Plan issue that will almost certainly have the greatest long-term ramifications on future state budgets, millions of taxpayers and up to 400,000 uninsured Hoosiers.

And Gov. Pence appears to be holding firm to his stance that the federal government should allow Indiana to address the Medicaid-eligible population via the Healthy



Tim Brown, a practicing medical doctor, halted efforts on SB551 that would allow Indiana to expand the Medicaid program. It had been led by House Public Health Chairman Ed Clere, who sponsored a similar measure in the House



bill first.

"I'm for it, however we get there," Kasich told the Toledo Blade. "I'll be combative when I have to be combative, but there are times when you just have to be patient."

Pence is staking his own course not only on Medicaid, but also the implementation of Common Core standards for schools. Pence signed legislation "pausing" Common Core, making Indiana an outlier on the national standards that are in place in 44 other states. Throw in his hard line against the decriminalization of marijuana when a number of other states are either on that course or outright legalization, and you begin to see a national trajectory in play that will position the governor away from other governors like New Jersey's Chris Christie, who opted into Medicaid expansion.

Gov. Pence deflects any talk of a 2016 presidential run, telling HPI in April that he hadn't "spent one second thinking about anything other than the state of Indiana."

That, however, was a necessary political stance taken deep in a legislative session. The governor couldn't say anything but that. Informed and reliable GOP insiders tell HPI that a 2016 run is on the table but that "no decision has been made."

Pence has an extraordinarily tight inner circle that includes First Lady Karen Pence, Chief of Staff Bill Smith, Chris Crabtree and one of Pence's brothers. It is within that circle that any national campaign decision will be made.

Gov. Pence will be walking a tight rope on a presidential run. He will have to begin to make forays into Iowa, New Hampshire and South Carolina beginning in early 2014, when he will be in the midst of a short, non-budgetary General Assembly session. He will also have to prepare to tap into at least \$1 billion. Having the Koch brothers, who financed two ad campaigns for the Pence tax cut package through their Americans For Prosperity PAC will be helpful. Other signs of a Pence presidential run will find him raising money in the political financial hubs of New York, Washington, Chicago, South Florida and Texas.

There was some speculation during the 2012 campaign that his relocation to McCordsville when he had a home in Columbus (about a half hour south of Indy) was because of its proximity to the Mount Comfort Airport, where he could make quick getaway flights in a process to begin collecting IOUs across the nation.

An active governor running for president has its pitfalls. Louisiana Gov. Bobby Jindahl has had to cut back his out-of-state schedule because his home polling numbers have begun to fall.

Several influential Republicans told HPI recently – and on deep background – that they would be surprised if Pence doesn't mount a presidential campaign. The White House will be open, the kids will be out of the nest, and presumed Democratic frontrunner Hillary Clinton doesn't look nearly as invincible after the Benghazi story metastasized this month. Pence is burnishing his "executive cred" with a successful first legislative session, and his outlier positions will make him an attractive



## Potential 2016 gubernatorial candidates



**Gov. Mike Pence (R)**  
**Evan Bayh (D)**  
**John Gregg (D)**  
**Baron Hill (D)**  
**Mayor Tom McDermott (D)**

	Favorable	Unfavorable	No opinion	don't know
Gov. Mike Pence (R)	52%	20%	30%	5%
Evan Bayh (D)	60%	16%	19%	5%
John Gregg (D)	25%	16%	24%	35%
Baron Hill (D)	13%	15%	30%	42%
Mayor Tom McDermott (D)	8%	5%	22%	66%

candidate with evangelicals. That Pence is more moderate on issues such as immigration will give him an entre with GOP moderates.

A Pence presidential run in 2016 would coincide with a reelection campaign. The governor could conceivably mount a presidential run, and if it did not gel after Iowa and New Hampshire, still file for reelection by the February 2016 deadline.

However, that would bring intense pressure from Republicans, particularly if former governor and senator Evan Bayh were to seek a political comeback. As the April HPI Poll revealed, Bayh would pose a potent threat to even a successful Gov. Pence. He has almost universal name ID (95%) and his fav/unfavs stood at 60/16% compared to 52/20% for the governor (30% had no opinion, compared



to just 19% for Bayh).

If Bayh, sitting on a \$10 million war chest, doesn't make a comeback, Pence's other potential Democratic opponents (John Gregg, Baron Hill and Hammond Mayor Tom McDermott) aren't nearly as formidable. Gregg would emerge as the leader of this subgroup, unless U.S. Sen. Joe Donnelly should throw his heft behind former congressman Hill. Gregg's fav/unfavs stood at 25/16%, he has all but declared for another try, and he came within 2.7% of what would have been the biggest upset since Frank O'Bannon defeated Stephen Goldsmith in 1996.

The bookend to a Pence-runs-for-president scenario would be an emerging Republican field. The early favorite would be House Speaker Brian Bosma, who could follow the path of the late Gov. Doc Bowen. The fact that Bosma's father, Charles, broke the tie for speaker in 1966 and then for the Bowen tax reforms of 1973 are fascinating historical footnotes that feed into Bosma's portfolio. He has been a prolific fundraiser for his 69-member super majority caucus. He has proven to lead in a bipartisan manner and has made the legislative process transparent with the Internet video streaming of floor sessions and committees.

Senate President Pro Tempore David Long would be another potential post-Pence aspirant, having succeeded Bob Garton in that position (Garton was an unsuccessful 1996 gubernatorial candidate). Long has had to be particularly adroit in balancing the burgeoning and restive conservative wing of his caucus. Both Bosma and Long, with lengthy tenures at the helm of their chambers, would find IOUs to collect, but also might find opposition from quarters where a legislative decision or compromise might have ruffled feathers.

The fascinating person in this mix is Lt. Gov. Sue Ellspermann, who has quietly launched a statewide, post-legislative tour. She was still unknown by 45 percent of voters in the April HPI Poll (Lt. Gov. Joe Kernan had similar recognition numbers well into his first term), but has a small but decent fav/unfav at 19/6 percent.

Some Republicans believed Ellspermann to be Pence's version of former Lt. Gov. Becky Skillman, a great legislative partner to Gov. Daniels but without the Orr/O'Bannon political heft. But Skillman, who didn't possess the job-spreading Commerce portfolio and the tacit imprimatur of her boss, was unable to position herself to suc-

ceed Daniels. Ellspermann is degreed, has a lengthy education and business portfolio, is vividly pro-life, and appears to be following the steps of Lt. Govs. Bob Orr and Frank O'Bannon in establishing her own political wing. Those who know her say, with admiration, that she is ambitious (she upset House Minority Leader Russ Stilwell in 2010) and determined. She is potentially Indiana's first female governor.

With Bosma and Long opting not to get on board for the full Pence 10-percent tax cut, the most interesting political payoff/payback would be for presidential candidate Pence to endorse Ellspermann as the ultimate Hoosier ceiling breaker.

Below, HPI looks at the 2014 election cycle and how things are beginning to emerge at this early milepost.

### 2014 Statewides

The most probable race will be for secretary of state with appointed Republican incumbent Connie Lawson facing Democratic Marion County Clerk Beth White. Disgraced Republican Charlie White won the office in 2010 by defeating Democrat Vop Osili 976,810 to 632,129. White was forced to resign after felony convictions in March 2011 and then-Gov. Mitch Daniels selected State Sen. Lawson to fill the position. Lawson is favored to win the convention nomination, but she faced a potential conservative primary rebellion in her Senate reelection in 2012 that was preempted by her ascension to secretary of state. It would not be surprising if a convention opponent surfaced, though



### HPI Poll Fav/Unfavs Potential statewide 2014, 2016 candidates

	Favorable	Unfavorable	No opinion	don't know
<b>Lt. Gov. Sue Ellspermann</b>	19%	6%	31%	45%
<b>Sec. of State Connie Lawson</b>	15%	3%	27%	55%
<b>Supt. Glenda Ritz</b>	26%	11%	22%	41%
<b>Marion Co. Clerk Beth White</b>	9%	4%	20%	68%
<b>Marion Mayor Wayne Seybold</b>	5%	2%	18%	75%
<b>Atty Gen. Greg Zoeller</b>	34%	7%	32%	28%
<b>Treasurer Richard Mourdock</b>	27%	35%	30%	8%

Lawson will have widespread establishment support.

Beth White is something of a partisan firebrand, using her office and the Marion County Election Board to press U.S. Sen. Dick Lugar on the residency issue in February 2012 before accepting a compromise to allow Lugar to vote from his farm address. The move kept the Lugar residency issue in the headlines for weeks, a factor in his landslide Republican primary loss to Richard Mourdock.

In the April Howey Politics Indiana Poll, both Lawson and White had minuscule recognition, with 55% not





aware of Lawson and another 27% having no opinion, while 68% didn't know White despite being clerk in the state's largest county in the heart of the largest media market. Twenty percent did not know White. Lawson's fav/unfavs stood at 15/3% and White's at 9/4%. At this first glance, Lawson would have to be the "likely" favorite based on the Republican dominance of statewide races over the past two decades, and the fact that her reelection is coming in President Obama's second mid-term (always a huge challenge for that party).

Having said that, Pandora's box of mischief may have been opened with Supt. Glenda Ritz's stunning upset of incumbent Tony Bennett last year. The GOP right is still angry over Gov. Daniels' backing of Valparaiso Mayor Jon Costas over Greg Zoeller for attorney general in 2008, and, thus may be looking to assert some muscle in this race. There's been some chatter over a potential Republican challenger to Lawson, but no names have surfaced. **Horse Race Status:** Likely Lawson

Republican Auditor Tim Berry is term-limited and this could get interesting. Term-limited Treasurer Richard Mourdock is telling GOP chairs he is considering a run for auditor. Earlier this year, Mourdock said at the Vanderburgh County Lincoln Day that he would be looking for a way to have his "voice heard." But Mourdock's implosion in the U.S. Senate race last October and November has some GOP chairs shaking their heads in amazement that Mourdock would think he would be a viable candidate. In the HPI Poll last month, his fav/unfavs at 27/35% stuck out like the proverbial sore thumb. Mourdock was also rebuked in some Tea Party quarters – most conspicuously by Greg Fettig – for blowing the Senate race to Joe Donnelly. Yet Mourdock is making the Lincoln Dinner circuit seeking love and affection. Republicans are seeking an alternative and the early name is Fishers attorney Cecelia Coble, who is Latino, a former bank executive and daughter of an FBI agent. A Democrat candidate has yet to surface. **Horse Race Status:** Tossup

Another interesting race will be for treasurer. With Mourdock term-limited, there was some early talk of his chief deputy (and 2012 campaign manager) Jim Holden running. Two powerful Republican chairs told HPI that Holden had pondered a Republican Central Committee



Candidates for 2014 statewides lining up include (from left) Secretary of State Connie Lawson and potential Democrat opponent Clerk Beth White; for treasurer, Marion Mayor Wayne Seybold and Don Bates Jr.

insurgency last March. He denied that in several letters to the editor on April 15, stating, "I did not recruit, support or oppose any candidate for membership on the Republican State Committee during its recent re-organization." Because of the Senate race debacle, most Republicans we've talked to see a Holden nomination here about as likely as hell freezing over.

The early leader would be Marion Mayor Wayne Seybold, who has lined up support from two powerful GOP financiers, Bob Grand and Dan Dumezich. Another challenger would be 2010 U.S. Senate candidate (and 2012 6th CD candidate) Don Bates Jr., who is telling potential supporters he will be backed by Gov. Pence. There is some truth that the Pence campaign was not amused when Seybold made a play for the ticket in 2012. They saw Seybold's 5th CD primary campaign as an eliminating factor after he lost to Susan Brooks. Seybold saw that race as a chance to pump up his name ID and position for the ticket, running a Pence-style positive campaign. Seybold, who is expected to announce his candidacy in the next few weeks, has forged a reputation as an innovative mayor, having ushered his General Motors city through the auto industry's near meltdown in 2008-09. He's had to put some fires out recently, pulling Marion through a financial maze from a self-insurance plan begun by a predecessor that ran into trouble when several city employees ended up battling cancer. No Democrat has surfaced in this race. HPI sees Seybold as an early favorite, but like the 2002 secretary of state race, this one could end up in a convention floor fight, though in that scenario it helps to have Grand on your side after he helped Todd Rokita win that one over Mourdock, Mike Delph and Dr. John McGoff. **Horse Race Status:** Likely Seybold

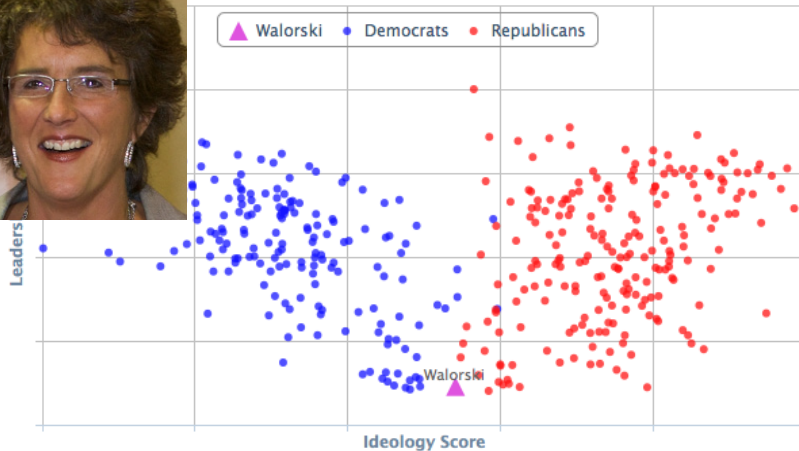


## 2014 Congressional

HPI sees potentially competitive races in two districts: The 2nd and the 8th.

**2ND CD:** U.S. Rep. Jackie Walorski won an unexpectedly tight 49-48% November victory over Democrat Brendan Mullen by just under 4,000 votes. It was surprising because the newly drawn 2nd CD was supposed to be so unfriendly to Democrats that Joe Donnelly opted for the U.S. Senate race. "I totally expected it to be close," Walorski told WSBT-TV on election night.

"I think they did as well. So, I really am not surprised, and I think if you look at the numbers in the presidential race, there's a lot of division in the country, and both sides are passionate. I think that is why when we talk about rolling up our sleeves and working with both sides of the aisle, it's a must." House Republicans have sought to strengthen Walorski's resume, putting her on the House Armed Services and Veterans' Affairs committees and on Military Personnel, Tactical Land and Air Forces and Veterans' Affairs Health and Oversight & Investigations subcommittees in an attempt to blunt Mullen's resume as a combat veteran.



This chart is based on principal components analysis for ideology and PageRank for leadership. See [analysis methodology](#).

In the wake of the military sexual assault story – including a 35% increase – Walorski is sponsoring legislation to protect communications regarding sexual assault. Another bill would call for the inspector general to investigate allegations of sexual assault. Walorski was seen as a Tea Party and conservative firebrand going into 2012. But she is emerging as a centrist, according to GovTrack.us (see chart). The Rothenberg Political Report notes that while Walorski narrowly edged Mullen, presidential nominee Mitt Romney carried the 2nd with 56%. Walorski should find some tailwinds in 2014 with it being President Obama's second mid-term. She can also take solace in history. Democrats John Brademas and Tom Ward both lost rematch races against Republicans in districts that covered the general area of the current 2nd. The Rothenberg Political Report rates this as a "leans Republican" race and notes while Mullen has not decided on a rematch, "This is an intriguing seat for Democrats." **Horse Race Status:** Leans Walorski

**8TH CD:** The big news is that Club For Growth is targeting U.S. Rep. Larry Bucshon to be "primaried." But he will not have a rematch with Democrat Dave Crooks. CFG took Bucshon to task for voting to continue ethanol subsidies and to keep the National Labor Relations Board and more. The two-term Indiana congressman's lifetime rating is 68 percent on the Club For Growth's scorecard. But a GovTrack.us analysis of Bucshon shows that on the ideology chart, Bucshon is firmly in the middle of the GOP House

pack, much further to the right than Rep. Walorski. "Big government liberals inhabit the Democratic Party, but they are far too common within the Republican Party as well," said Club For Growth president Chris Chocola in February. "The Republicans helped pass billions of dollars in tax increases and they have repeatedly voted against efforts by fiscal conservatives to limit government. Primary-MyCongressman.com

will serve as a tool to hold opponents of economic freedom and limited government accountable for their actions."

"Club For Growth is a Washington, D.C.-based organization that certainly has a right to their opinion," said Bucshon spokesman Nick McGee. "Dr. Bucshon has a strong conservative voting record and was successfully reelected by a 10-percent margin in his last election. He has confidence his constituents in Indiana will continue to assess his record of consistently fighting to cut spending, keep taxes low, bring good paying jobs to Hoosiers, and reform health-care and not rely on a D.C. -based organization to assess it for them."

No Republican has surfaced to challenge Bucshon in the primary. Tea Party member Kristi Risk was narrowly defeated by Bucshon in the 2010 primary, but he handily defeated her in 2012 and she does not appear to be seeking a rematch.

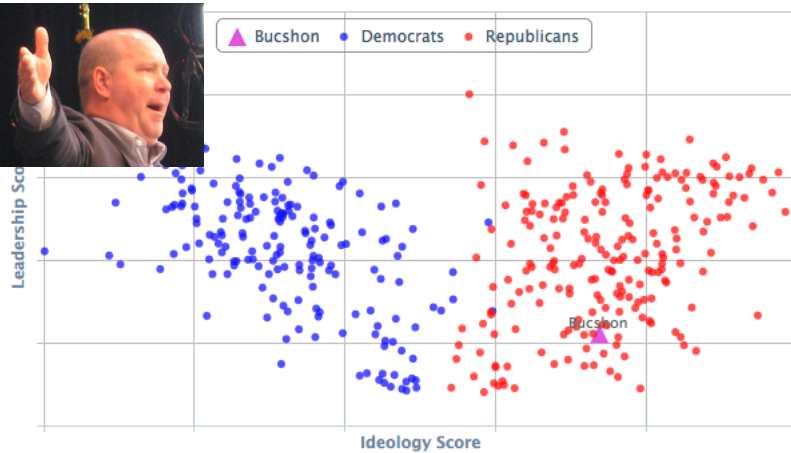
As for the general election, 2012 Democrat nominee Dave Crooks will not seek a rematch. "I have no regrets running for Congress in 2012," said Crooks, a former legislator. "However, I'm not interested in a second round. Why? If you wonder why Washington, D.C., is broken, ask a candidate what's required. Candidates are forced to sit in a room for no less than 30 hours a week begging strangers for money. Over an 18-month period, I managed to raise a



million bucks. However, I was outspent 3-1 by the incumbent and two SuperPacs combined. The only message they needed: 'Dave Crooks likes the President.' If being a telemarketer is the top skill set for a congressman, I might as well sell ads on my radio stations. People like my radio stations. They hate our Congress. I now understand why."

### Horse Race Status:

Likely Bucshon



This chart is based on principal components analysis for ideology and PageRank for leadership. See [analysis methodology](#).

**5TH CD:** In the only other primary race at this point, insurance broker David Stockdale of Carmel will challenge 5th CD U.S. Rep. Susan Brooks. **Horse Race:** Safe Brooks.

**3RD CD:** Democrat Justin Kuhnle intends to run against U.S. Rep. Marlin Stutzman. **Horse Race:** Safe Stutzman

**CD NOTES:** Republicans have a 234-201 advantage in the House. According to Rothenberg Political Report, of the 234 Republican seats, 209 are considered safe, 18 are leaners (including Walorski), and 16 are tossups. Of the 201 Democratic seats, 176 are considered safe and 16 are leaners. Democrats would need to pick up 17 seats to forge a majority. Analyst Stuart Rothenberg notes, "Netting that many seats will be tough after the party picked up eight last year, especially in a midterm year when a Democrat is in the White House. Democrats won six of the 10 closest House races in the country in 2012, so they start off with a number of vulnerable incumbents. And after gaining seats in 2012 and with only 16 Republicans representing districts won by Barack Obama in 2012, Democrats have a limited number of good takeover opportunities in 2014. Since the Civil War, the most seats a president's party has ever gained in an election is nine."

**U.S. SENATE:** Indiana has no Senate seats in play this year after two tumultuous cycles that prompted for the first time in 50 years there will be no Bayh or Lugar in the upper chamber. Nationally, Rothenberg observed in his May 3 edition, "Republicans start off looking poised to make considerable Senate gains. All eight of the most vulnerable Senate seats this cycle are held by Democrats (Baucus,

open MT; Johnson, open SD; Rockefeller, open WV; Landrieu LA; Pryor AR; Begich AK; Hagan NC; Harkin, open IA) and five of those seats currently look at extreme risk (MT, SD, AK, NC, IA). But Republicans had an upbeat outlook in 2012 and they ended up losing two Senate seats, so recruiting, candidate quality campaigns and national political environment could combine either to improve the

Democrats' outlook or to get the GOP in the position to net six seats and control of the Senate. The cycle's arithmetic could change if Democrats could put even a single GOP seat into play."

### 2014 Indiana General Assembly

Jasper businessman Mike Braun and State Rep. Mark Messmer kicked off the cycle this past week, with Messmer announcing on Sunday for retiring State Sen. Lindel Hume's SD49, and Braun announcing for HD63.

Indiana Democratic Chairman John Zody is in an active recruiting mode. But essentially, it is way early to make a calculation other than to say that Republicans are likely to keep majorities in 2014 during a second presidential mid-term. They will use Obamacare as an issue, though that was supposed to be the bulwark to keep Joe Donnelly out of the U.S. Senate.

If the jobless rate were to remain in the 8-percent range, Democrats might find an opening, though it would be difficult to separate that from the national dynamic that would focus blame on President Obama. However, Gov. Pence's first session was all about job creation, he passed on the Medicaid expansion and a projected 30,000 jobs, and therein might be an opening if the national dynamic is neutralized and job creation in next-door Medicaid expansion states takes off. Republicans, on the other hand, see Indiana's business climate improving and believe that will be a big jobs generator.

Another opening on the Medicaid front is that Republicans are ardently pro-life, but Democrats could charge that while they bring all politics and policy to bear on behalf of the unborn, once these children arrive in poor homes, the state is more interested in tax cuts for the wealthy than providing health coverage for the unfortunate.







## Hoosier Republicans see 'duty' to probe Obama

By **MARK SCHOEFF JR.**

WASHINGTON — As President Barack Obama reels from three controversies that have mired the start of his second term in scandals that threaten to overshadow his agenda, Republicans in the Indiana congressional delegation say their party has a responsibility — even a duty — to dig into the matters.



"The role of House Republicans is to find out what the facts are," said Rep. Larry Bucshon, R-8th CD.

Weeks — perhaps months — of investigations and oversight hearings loom.

On Wednesday, Obama accepted the resignation of the acting commissioner of the Internal Revenue Service, Steven T. Miller,

after the agency was found to have targeted conservative groups for greater scrutiny over applications for tax-exempt status.

The administration on Wednesday also released emails related to the way it portrayed an attack on a U.S. consulate in Benghazi, Libya, last September that killed the U.S. ambassador.

In addition, the administration is grappling with fallout from the Department of Justice's seizure of phone records of Associated Press journalists related to the news organization's reporting about al-Qaeda activities last year.

For now, the scandals are playing to the GOP's strength. They can each be portrayed as the result of an overreaching government or an administration that emphasizes political expediency.

**But the GOP could** do some overreaching itself, as it delves into the controversies while issues like immigration, tax reform and the economy are potentially delayed.

In a speech on the House floor on Tuesday, Rep. Luke Messer, R-6th CD, addressed those concerns.

"Some may call it political, but there is nothing political about keeping the oath of every member of this chamber to protect and defend the United States Constitution," Messer said. "There is nothing political about working to ensure that none of these scandals gets swept under the rug."

Hoosier Republicans say they do not anticipate political backlash.

"**We've had good** discussions in the House Republican Conference about making sure this is about facts, not politics," Bucshon said.

Rep. Todd Rokita, R-4th CD, said that Republicans are staying in their lane.

"The American people have the right to know what the White House knew and when," Rokita said. "We need to go as far as we need to go to find the full truth."

Two freshman GOP members of the Hoosier delegation say that their constituents support congressional probes.

"The voters of the Fifth District do believe it is Congress' role to provide oversight," said Rep. Susan Brooks, R-5th CD. "This is not about beating on the president. This is about holding the executive branch accountable for the priorities it sets, for the mistakes it makes."

Rep. Jackie Walorski, R-2nd CD, said that she has been approached frequently by constituents who are concerned about the emerging scandals.

"I heard about it all weekend," Walorski said. "People are shocked. This is an overreaching of government,



and that offends every American. This is not a Republican or Democratic issue. This is an American issue."

On Wednesday, Walorski sent a letter to Treasury Secretary Jacob Lew that outlined 19 questions about the IRS' targeting of conservative groups. She demanded answers by June 15. It's one of what is likely to be dozens of GOP requests for more information from the Obama administration.



The pushback goes beyond his party, said Rep. Marlin Stutzman, R-3rd CD.

"It's not just Republicans asking questions," Stutzman said. "The press is asking questions; the American people are asking questions."

Democrats are, too. Sen. Max Baucus, D-Montana and chairman of the Senate Finance Committee, has scheduled a hearing next week about the IRS' targeting of conservative groups.

U.S. Sen. Dan Coats wants criminal penalties for IRS employees. "It smells a lot like Watergate," Coats said.

**Rep. Todd Young, R-9th CD,** said each side of the aisle have been responsible in their approach to the controversies. "Both parties seem committed to ferreting out the answers the American people deserve," Young said. "It's amazing how disciplined we've been. I'm most hopeful we can get answers from a cooperative administration."

One of the primary answers that will be sought is

who gave the IRS directive. "Typically, priorities and strategy comes from higher levels of government," said Brooks, a former U.S. Attorney for the Southern District of Indiana. "I find it hard to believe that low-level employees thought of this on their own."

**The House GOP will have** to decide on the scope of the inquiries. For instance, the chamber is poised to vote on a resolution that would establish a special committee to probe the Benghazi episode.

Stutzman is undecided and said that the current investigatory panel is effective.

"Our oversight committee is doing fantastic work [and] asking the right questions. [It] has been diligent and thorough," Stutzman said.

Over the next few months, it will have plenty to do.



**Schoeff is HPI's Washington correspondent.**



## Farewell to Doc

Residents of Bremen and friends and family of Gov. Otis "Doc" Bowen paid their respects last Friday in laying the 44th Indiana governor to rest after he died on May 4 at age 95. Gov. Mike Pence and former Govs. Joe Kernan and Mitch Daniels attended the ceremony. Rev. Roger Rhode said, "He sought no honors or recognition," Rhode said. "He only sought to work for others. He took the talents and gifts God gave him and used them to his fullest." (Goshen News Photos by Sam Householder)

**Politics Indiana**  
Weekly Briefing on Indiana Politics  
**Doc Bowen and shifting politics**  
Legendary career was shaped by razor-thin wins & changing politics  
By Steve A. Schmitt  
"I don't think I ever really lost a close election," Doc Bowen once said. "I think I lost a lot of close elections, but I never lost a close election."







## Indiana prepares for a voter roll purge

By MAUREEN HAYDEN

INDIANAPOLIS – Indiana's bloated voter registration rolls, which officials say make elections more susceptible to fraud, will soon come under more scrutiny by the state.

The Indiana Secretary of State's office will spend more than \$2 million to purge the voter registration rolls in each of Indiana's 92 counties, removing the names of voters who are dead, in prison, or have moved away.



County election officials are responsible for keeping the voter rolls current, but the lack of money has caused some of them to fall behind. The result: In some counties, the number of people listed on the rolls as eligible voters is higher than the

number of voting-age people who live there.

"Every duplicate name and every bad address is just an opportunity for vote fraud," said Secretary of State Connie Lawson, who asked the General Assembly to allocate the money to clean up the voter rolls.

It's not a simple effort; the Secretary of State's office will have to send out at least two mass mailings of postcards to Indiana voters as part of a sweeping effort to verify their voting status.

The legislature was pushed into taking action by the U.S. Department of Justice. Officials with the DOJ Civil Rights Division's Voting Section found that at least 10% of Indiana's 92 counties have a higher number of people on their active voter rolls than they do who are old enough to vote.

Also triggering the legislative action is an ongoing federal lawsuit, brought by the conservative watchdog group Judicial Watch, which claims the problem is more widespread.

Both the DOJ and Judicial Watch have raised questions about whether Indiana has failed to maintain clean voter registration lists as required by the National Voter Registration Act.

**DOJ officials have declined** to comment on their investigation of Indiana's voter rolls. Tom Fitton, president of Judicial Watch, said his lawsuit will continue until his organization is satisfied that the State of Indiana is meeting the federal requirements for keeping the voter registration rolls current.

"We'll have to review what the state has proposed," Fitton said. "This doesn't automatically end the lawsuit."

Indiana has a history with the issue. In 2006, the U.S. Justice Department, under Republican President George Bush, pushed the Indiana Election Commission into signing a consent decree in which the state agreed to work with county officials to clean up Indiana voter registration rolls.

But that consent decree expired in 2009.

**Indiana maintains a statewide** voter registry, but each county is responsible for updating information on the voters in their county. Lawson said county elections officials find it challenging and costly to keep their voter rolls current.

"The counties have so many demands on their dollars these days," Lawson said. "Everybody is struggling for every dollar. It's easy for a county to say, 'This is one job we'll have to put off till we've got more money in bank.'"

The same law that requires accurate voter rolls, the National Voter Registration Act of 1993, also makes it harder for county election officials to remove voter names, Lawson said.

They need a death certificate or notice from the state health department to take a deceased person's name off the roll, for example. They have to wait for a voter to miss two presidential elections before they can start the process of verifying whether that voter is still at the address where he or she registered.

"No one wants to disenfranchise a voter by removing them too quickly," Lawson said.

Lawson, who was supportive of Indiana's voter ID law that requires voters to show proof of their identity when they go to ballot box, is sensitive to the issue of error-filled voter rolls.

Past cases of voter fraud in Indiana haven't involved people showing up at the polls impersonating someone else. Instead, they've involved absentee ballots, which don't require an ID, cast for voters who are dead or have moved away.

Also, Lawson was first appointed to the job of Secretary of State, after her Republican predecessor, Charlie White, was convicted on election fraud charges of using his old address to cast his vote, after moving someplace else.

**Last month, a longtime** Democratic Party county chairman, Butch Morgan, was found guilty of forging voters' signatures on petitions to place Democratic candidates on the state primary ballot in 2008.

Bloated voter registration rolls aren't just a problem in Indiana. In February 2012, the non-partisan Pew Center on the States released a report that said the nation's voter registration rolls are in deep disarray. Pew researchers, using information collected from states' voter rolls, found that one in eight active registrations is invalid or inaccurate.

The Pew report found about 1.8 million people listed as active voters who are dead, and another 2.8 mil-





lion people with active registrations in more than one state.

In releasing the report, Pew officials said they didn't believe bad voter rolls were an indicator of widespread voter fraud. But they did the bloated rolls under-

mined voter confidence and fueled partisan disputes over the integrity of the election process. ❖

## Taking Indiana from 'good to great'

By MAUREEN HAYDEN

INDIANAPOLIS — On the campaign trail last year and early into his administration, Indiana Gov. Mike Pence said repeatedly that his goal as governor would be to take Indiana from "good to great."

He borrowed the phrase from the 2001 book by the same name, by author Jim Collins, who wrote the book to share management advice from 11 companies that performed spectacularly well in the 1990s.



I appreciate the governor's intent: The best-selling book is a roadmap of sorts for how to engineer long-term success and sustainability, which is why every state agency leader was given a copy at Pence's first meeting with his cabinet back in January.

He told reporters that day that he instructed his agency leaders to develop "good to great" plans of their own.

But that instruction assumed that Indiana had already achieved the status of "good."

I thought about that "good to great" phrase this weekend, while reading stories about college and high school graduation ceremonies going on around the state.

Are we even close to being "good" when it comes to education in Indiana?

Here are some things to consider before answering that question:

**Statewide data collected** by the Indiana Commission on Higher Education show that almost 30% of Hoosier high school graduates need to take at least one remedial course in math or English when they get to college. (It's more than 60% for Indiana high school graduates headed to our two-year colleges.) Those are courses that carry no credit, but cost just the same as the ones that do.

There are high schools in Indiana with much higher rates than that average. Of the 375 public high schools, 235 have more than 30% of their college-bound students

that need this extra expensive help. Thirty of those high schools have more than 50% of their college-bound students in need of remediation.

**In Indiana, 8% of high school** graduates were granted special "waivers" by their schools in 2011 because they couldn't pass the basic end-of-course assessments needed to get the regular diploma. There are schools in Indiana, in both rural and urban areas, where it's closer to 30 percent.

Is that even close to "good?"

"Mediocre" might even be a stretch when considering our dismal educational track record: We're one of the least-educated states in the nation, as measured by four-year college graduates in our adult population. Only about one-third of adults in Indiana hold at least a two-year degree.

The good news is that there is a lot of good work going on to address these issues, much of it led by the tenacious Teresa Lubbers, the head of the Indiana Commission on Higher Education and a former state senator.

Under her leadership, the commission is pushing the state's universities to help repair the disconnect between them and high schools when it comes to "college readiness."

And a new law that will go into effect before the upcoming school year, authored by state Rep. Ed Clere of New Albany, will push high schools toward providing remediation needed before their college-bound students get their high school diplomas.

**But we're still a long way** from being able to call ourselves "good" when it comes to providing the skills and knowledge needed by many Hoosiers to get good and meaningful work.

And a long way from the "great" prescribed by "Good to Great" author Jim Collins.

"For, in the end," he wrote in the book, "it is impossible to have a great life unless it is a meaningful life. And it is very difficult to have a meaningful life without meaningful work." ❖

**Maureen Hayden covers the Statehouse for the CNHI newspapers in Indiana. She can be reached at [maureen.hayden@indianamediaingroup.com](mailto:maureen.hayden@indianamediaingroup.com)**



## Doc Bowen: The last rural Indiana governor?

By **DAVE KITCHELL**

LOGANSPORT - Back in the 1970s when Indianapolis had an arena known as Market Square, Otis Bowen sat in the crowd as Purdue played Providence College.

It was a scene that was a bit unusual because Bowen was an avid Indiana fan who could often be spotted wearing the same large plaid pants and coats that one Robert Montgomery Knight also sported. It was Dr. Bowen who even made a point to invite the winning Little 500 bicycle race teams from Delta Chi to the Governor's Residence in Indianapolis.



But Bowen was "Dr. Bowen" after all, and that explained why he was watching that basketball game in Indianapolis. He was there because he had once delivered one of the Providence players, Bruce Grimm, a good old-fashioned Hoosier hotshot who once poured in 40 points for Plymouth in a semi-state loss to Anderson.

That was Otis Bowen, pure and simple. He had a connection to people, no matter how distant or many years removed. He never forgot where he came from or who his patients were.

In the years since he was Indiana's first two-term governor, the legacy of being a small town doctor who went on to become the chief executive of the state and eventually a presidential cabinet member is this: Will he be the last rural governor in Indiana? The answer sadly may be yes. By the time most candidates from either party reach the point when they're driving down Meridian Street every day to work, they've usually built up a constituency in some metropolitan area of the state.

**The connection Bowen** had to people in the hinterlands of Indiana was apparent. I only interviewed him once, and that was at a book signing appearance at the Fulton County Museum north of Rochester. He was gracious with his time on a day he wanted to chat with old friends and acquaintances. His answers to my questions were to the point, but in simple Hoosier speak, it was apparent he had "never forgotten where he came from". Bowen had graduated from Fulton High School, which has been closed since the early 1960s when it consolidated into what is today the Caston School Corporation.

It's somewhat ironic that 25years ago this week, he was in-

terviewed during his tenure as Health and Human Services secretary. His concern? Rural America was losing out in a changing health care landscape that would make it difficult for rural hospitals and smalltown physicians all across the country who were like him.

**Another component** of Bowen's legacy that built great admiration for him was his devotion to his first wife, Beth. In the terminally ill last days, Bowen did something that might have seemed controversial at the time. Marijuana was used in an attempt to ease her pain.

What was truly remarkable about him is that if you didn't know it, you might not have known he was a governor. He wasn't the press-the-flash, backslapping type. He seemed to show up at events because of the significance of the event itself and not because it was a photo op.

When I was a high school junior, he was among few people who attended a ribbon-cutting ceremony for a new highway south of Logansport. He looked and acted just like anyone else – no state police escort, no press secretary ready to deal with a horde of broadcast reporters and no predisposed stereotypical politicians behavior. Maybe he just figured he always could fall back on being a small town physician. You got the feeling he had the same conscience of Dr. Bones McCoy in Star Trek, the part played by the late DeForest Kelley, who said to Willaim Shatner, "I'm just a country doctor."

**Yet within those** freckled temples was an intellect that crafted an abortion law so durable that Indiana's law is referred to in many circles as a model for the nation. Who better to address the issue than a physician and legislator?

For the Fultons and Bremens of the world, the passing of this Indiana governor conjures up the sound of a tandem popular during Bowen's time in office. Seals & Croft once sang "We will never pass this way again." Otis Bowen will never pass our way again, and the likes of the small-town Indiana men who were pillars of their communities in the 20th century may be as removed from our landscape as the smalltown schools that once represented only a township or two at the most.

Dr. Bowen represented so much more than just a country doctor, and Hoosiers who remember him will never forget him. ❖

**Kitchell is an award-winning columnist based in Logansport.**



## Bowencare instead of Obamacare

By JACK COLWELL

SOUTH BEND – Instead of Obamacare, still so contentious and with all the pieces not yet in place, we could have had Bowencare, with the key piece put in place on July 1, 1988, by Ronald Reagan.



It would be named for Dr. Otis R. Bowen, about whom there were many accolades, all deserved, as the former governor's death was mourned last week. Amidst the praise there wasn't much mention of what "Doc" Bowen considered one of his proudest achievements. That's because the achievement was repealed by Congress.

After two terms as governor, Bowen served in President Reagan's Cabinet as secretary of health and human services. In that role, he led early efforts to respond to the growing AIDS crisis. Doc also persuaded Reagan to support a health care reform bill, providing through Medicare protection against runaway hospital and prescription-drug costs in catastrophic illness.

In endorsing the plan, Reagan called on Congress "to help give Americans that last full measure of security, to provide a health insurance plan that fights the fear of catastrophic illness." Reagan lamented that "many of our senior citizens have been faced with making an intolerable choice, a choice between bankruptcy and death."

Since it would have been ludicrous to portray Reagan and Doc as wild-eyed advocates of socialized medicine, the plan was passed with large bipartisan majorities and signed into law by Reagan on that first day of July in 1988.

**Bowen was able to fight** off efforts by some liberal Democrats to add all kinds of expensive extras and efforts by some conservative Republicans to kill anything involving Medicare. The plan would pay for itself, adding not a cent to the national debt.

It provided for Medicare recipients to have full hospital coverage, with no limit on days covered, and protection against rising doctor bills and drug costs during a lengthy illness.

As the health care debate raged in the summer of 2009, Bowen, long retired back in Bremen, reminisced

about that landmark legislation.

"We were years ahead of our time," Bowen said. "If it hadn't been repealed, it would have taken care of a lot of problems we are facing now."

Repealed it was.

**Insurance interests** and other special interests sought repeal in 1989. Reagan and Bowen were both gone from Washington, and nobody in the new Bush administration was willing to stand up for the health care coverage.

Opponents distorted cost statistics and organized demonstrations that were portrayed to the gullible news media as "grass roots" uprisings. They told folks who could benefit the most that they were being swindled. Sound familiar?

It wasn't something for nothing. Neither Reagan nor Bowen wanted that.

Additional benefits were to be paid for by the Medicare eligible in premiums deducted from Social Security checks - \$4 a month in 1989, climbing to \$10.20 in 1993. The 40 percent of those eligible for Medicare who were subject to federal income tax would pay additional sliding-scale premiums based on wealth.

Insurance lobbyists cited the highest likely premium for the wealthiest to suggest that every senior citizen would pay that much.

Opposition also came on the liberal side from a group headed by James Roosevelt, son of President Franklin D. Roosevelt, who called for both more coverage and less cost. That side also invented statistics.

Special interests rounded up some senior citizens, gave them signs and sent them to ambush Congressman Dan Rostenkowski, then the powerful House Ways and Means Committee chairman. News film showed Rostenkowski fleeing a "grass roots" gathering of senior citizens outraged about the Bowen plan.

**Members of Congress**, courageous back then, too, repealed the plan in the fall of 1989.

"If it hadn't been repealed, progress could have been very fruitful," Bowen said as he looked back in 2009 at his proud achievement and its repeal

Could premium costs have been adjusted? Certainly. Could other complaints have been dealt with through amendment? Of course.

Could the plan have provided the foundation for a workable and affordable health care act? Maybe, if Congress had built on that foundation, continuing the bipartisanship forged by Reagan and Bowen instead of letting health costs worsen and divisiveness grow.

We might today have had Bowencare - already in place - and not still be arguing over Obamacare. ❖

**Colwell has been covering Indiana politics over five decades for the South Bend Tribune.**





## Commissioner Repay and the Lake income tax

By **RICH JAMES**

MERRILLVILLE - Lake County did it. Finally.

And, as everything is done in Lake County, the controlling Democrats did it with as much drama as possible.

Yes, Lake County became the last of Indiana's 92 counties to adopt a local option income tax. This play ended sooner than expected.

When county commissioners met Friday morning, just about everyone in the county expected Commissioners Gerry Scheub, D-Schererville, and Mike Repay, D-Hammond (pictured), to veto the County Council ordinance calling for the tax. After all, Scheub and Repay had publicly said they would veto the ordinance. And then, as everyone speculated, the ordinance

would go back to the County Council to act on the veto.

Because the council passed the ordinance by a 4-3 vote, a fifth vote would have been needed to override the veto. And it appeared that Councilwoman Christine Cid, D-East Chicago, was the only hope for the fifth vote. The two Republicans on the council, Eldon Strong and Dan Dernelc, were adamantly opposed to the tax. But even Cid said she couldn't vote for the tax based on what she heard at a public forum a week ago. That's understandable given that the forum wasn't representative of her district, but instead was jammed with Tea Party Republicans.

So, back to the commissioners who were poised to veto the ordinance last Friday.

**Scheub, the dean** of the commission and the most vocally opposed to the tax, made a motion to veto the first of the ordinances to enact three separate taxes totaling 1.5 percent. And then there was silence. And continued silence.

Although he had repeatedly said he was against an income tax, Repay declined to second the motion to veto. And Scheub looked absolutely stunned. And you can say

the same for most of those in the audience. Commissioner Roosevelt Allen, D-Gary, was a supporter of the tax. When some angry Tea Party folks started yelling at Repay following the vote, a couple of county police officers escorted him out.

Repay, who was elected last year, vowed to oppose an income tax. His two opponents did as well. After the meeting, Repay said that there was more than one issue facing the county and that he voted for the tax to promote the common good.

**There were estimates** that without the tax, the county would have had to lay off 30 police officers. Every agency of county government would have been impacted. Most towns and cities, too, campaigned for the tax.

The action by the county stole the thunder of rookie State Rep. Hal Slager, a Schererville Republican. Slager had a bill passed in the just-concluded Legislature to lift the levy freeze on all taxing units in Lake County. The freeze was imposed in 2007 until such time that the county enacted an income tax. The action by the county last week made Slager's bill moot.

The state for more than a couple of decades had been telling Lake County that if it expected financial help that it would have to help itself first. What the state meant was that Lake County had to enact the income tax if it



expected any significant financial help from the state.

There already is speculation in the county whether the Legislature will be true to its word.❖

**Rich James has been writing about state and local government and politics for more than 30 years. He is a columnist for NWI Times.**



## The invisible lawmakers

By **LEE H. HAMILTON**

BLOOMINGTON — Want to know what's causing a lot of people in Washington to work long hours right now? Here's a hint: It's not immigration reform or gun control or, for that matter, any other legislation coming down the pike. Instead, it's a pair of three-year-old laws.

The Affordable Care Act (known to most Americans as Obamacare) and the Wall Street reform act known as

"Dodd-Frank" both became law in 2010. Most people consider these major pieces of legislation old news, but that's because their civics teachers misled them back in junior high school. In the How-a-Bill-Becomes-a-Law version of Congress that many of us were taught, the story ends when the bill is signed by the President. It doesn't. In fact, the President's signature is more like a starter's pistol.



Because after a bill becomes law is when legislative language – which is often deliberately vague and imprecise, in order to wrangle as many votes as possible – gets interpreted and turned into regulatory language. In other words, Congress drafts a rough blueprint; only then does the federal government decide how the machinery will actually work.

And that's where money – lots of money – stands to be won or lost. A few years ago, a group of academics studying tax disclosures related to a single 2004 piece of financial legislation found that firms lobbying for a particular provision made \$220 for every \$1 they spent on lobbying. Which may help explain why, as the Center for Responsive Government recently reported, the health care industry has spent more than \$700 million on lobbying Congress and executive agencies since health care reform passed.

Indeed, the political fight that began with the drafting of legislation continues long after a bill is enacted into law – not for days or weeks or even months, but sometimes for years. Unlike the legislative process, which for all its faults is generally visible and accessible to the public, these battles tend to be invisible and inscrutable.

The first arena in which they take place is within the agency or agencies charged with drafting and enforcing the rules that give teeth to legislation. This process can be lengthy. According to one corporate law firm that has been tracking the rulemaking process for Dodd-Frank, only

38 percent of the rules required by the legislation had been finalized by the beginning of May this year. Special interests trying to have an impact pursue a broad range of tactics, from directly lobbying regulators to getting friendly members of Congress to weaken the agency's appropriation, cut funding for regulatory enforcers, or even block presidential appointments to an agency they dislike. They might also take the opposite tack, lobbying to bulk up a rule and make it so complicated that very few people can understand it, or to add little-noticed, but highly profitable, exemptions.

If that approach doesn't work, there are always the courts, which have final judgment over how to construe congressional language. Lawsuits of these types are intensely fought and can go on for years, sometime blocking or restricting implementation until they're settled.

And then, of course, there's Congress. Opponents of a law are rarely shy about re-legislating it even after it's been enacted. They can try to get it repealed, or to cut its funding, or to enact exemptions, or, as medical device makers, insurers and others are doing right now with the health-care law, to overturn pieces of it they especially dislike without taking on the entire thing.

Huge amounts of money are at stake in these fights, which can involve an army of sophisticated players: High-powered lobbyists, former regulators and members of Congress, and the federal officials and current members they're focused upon. As tough and sometimes mean-spirited as the reasonably transparent legislative process can get, these shadow battles, far out of the public eye, can be even more so.

**Former Secretary of State** George Shultz once famously said, "Nothing ever gets settled in this town," and he was right. That is why, as you follow the course of health reform or financial industry reform or any other high-stakes law, it pays to remember that it can take years before it's really possible to gauge the impact of legislation.



**Lee Hamilton is Director of the Center on Congress at Indiana University. He was a member of the U.S. House of Representatives for 34 years.**



**Eric Bradner, Evansville Courier & Press:** Forced to make a tough political decision, Gov. Mike Pence opted on Saturday to side with Republicans who hold a supermajority in the Indiana Statehouse even as he admitted that part of a measure they were pushing made him uncomfortable.

Republicans wanted to overhaul the government of Marion County, the home of Indianapolis and the only place in the state where the city and county governments have been merged into a single "Unigov." Their proposal to do so, though, was a pure power grab. It eliminates the four at-large seats on the 29-member City-County Council all held by Democrats, and all likely to remain that way, since demographic changes are turning Marion County bluer by the year. The measure includes some other changes intended to bolster the Indianapolis mayor's power and make the budgeting process easier. But the big question in recent days has been whether the power grab portion of the bill would lead Pence to veto it. It's a decision that might have come easier for other governors than Pence, who made an effort to meet with every Democratic member of the state legislature in his first months in office and who at times broke with Republican leaders in Congress on fiscal issues. He waited until Saturday, the deadline for the governor to sign or veto the last batch of bills that the General Assembly had sent him during its 2013 session, to make his decision. Ultimately, Pence signed the bill into law.

Democrats quickly criticized the governor's decision to sign the bill. "It is truly disheartening that Gov. Pence has failed to exercise his duty as executive to veto legislation which weakens the representative democratic structure of local government in Indiana's largest county and takes power away from citizens," said Senate Minority Leader Tim Lanane, D-Anderson. "By signing this bill, Gov. Pence places his approval upon this blatant, unwarranted political power grab. The actions taken by the Republican supermajority dilutes every Marion County citizen's representation on their city-council in a desperate attempt to cling to power."

During legislative debates over the issue, Republicans especially the bill's author, Sen. Mike Young of Indianapolis repeatedly (and comically) asserted that the elimination of the Democratic-held council seats was not a power play. Pence issued a statement defending his decision to sign the bill Saturday that, to his credit, did not try to repeat those silly claims. He said he had "misgivings" about that part of the bill, but that his decision to sign it was based on the portions of the bill that give the mayor currently Republican Greg Ballard more authority to rein in the city's budget.

"Unfortunately, what began as a serious effort

to strengthen Indianapolis' economic and fiscal condition got clouded by politics. In making my decision, I focused exclusively on the policy and what would be in the best interest of the people of Indiana," Pence said. He noted that Democrats, too, have sought to eliminate the at-large seats in previous years, when Republicans held them. ❖

**John Kass, Chicago Tribune:** Dogged by scandal, and with his press secretary presumably now curled up in the fetal position and breathing into a brown paper bag, it's obvious President Barack Obama is in need. Our president must find his happy place again, away from irritating controversies. Like Benghazi, where four Americans died and he stood before the United Nations and made a phony reference to a ridiculous video in order to save his politics at the expense of the truth. And now it's known that his Internal Revenue Service was used to threaten conservative and tea party groups and quash political dissent. The IRS also leaked damaging information from secret files against his political enemies to the media, prompting some to call him President Barack Milhous Obama. Another scandal, involving the Justice Department seizing reporters' phone records hoping to find adminis-

tration leaks, is a chilling assault on the First Amendment that would have made Nixon or J. Edgar Hoover smile. What Obama requires is another relaxing vacation. This time, the man needs a visit to Happy Land. So please take my hand, Mr. President, and we'll fly there, over those political storm clouds in Washington, to where things were just about perfect: Back home to Chicago. Grant Park. November 2008. Can you remember the looks of genuine adoration in their eyes? Some were so overcome they couldn't help but weep for joy. Others barely stopped their lips from twitching. Still others were wiggly with excitement, like puppies unable to keep still, and we know what puppies do when they're excited. Many hugged and offered high-fives, or loudly clapped, or clinked glasses and gave each other profound smiles of satisfaction and joy. And that was just the journalists. The rest of Obama's voters were ecstatic too. But as historians will no doubt tell us, American journalists were especially thrilled. Not all. A few grumpy types complained that messianic politics is never healthy for the Republic. But who could listen with all that joy in their ears? The Republican establishment — the War Party — had been vanquished, and deservedly so, for talking out of both sides of its mouth about the need for a smaller government while feeding from that monstrous defense industry trough. They're in the wilderness still, and should remain there for a while. Reporters flocked to him as if he was the gentle forest faun, Mr. Tumnus straight out of the Narnia tales. ❖







## **Pence pushed media shield bill**

INDIANAPOLIS - The U.S. Justice Department seizure of reporter telephone records would likely be a crime if Gov. Mike Pence had won passage of the federal media shield law he championed in Congress (Carden, NWI Times). Pence, a Republican who served in the U.S. House from 2003 until January, repeatedly sponsored legislation establishing a federal prohibition on reporters being forced to reveal confidential sources, except in the case of imminent death or terrorist attack. His Free Flow of Information Act also would have prohibited government agencies from obtaining reporter telephone records from communications companies without the approval of a federal judge. Pence told a 2011 national convention of editorial writers meeting in Indianapolis that important conduits of information would be shut down if reporters could not guarantee confidentiality to their sources. "As a conservative who believes in limited government, I know the only check on government power in real time is a free and independent press," Pence said. "Without the free flow of information from sources to reporters, the public is ill-equipped to make informed decisions." The House approved Pence's media shield legislation in 2007 and 2009, but it died in the Senate both times, despite the efforts of former U.S. Sen. Dick Lugar, R-Ind., a co-sponsor. President Barack Obama and Attorney General Eric Holder derailed the 2009 proposal by demanding an exception for leaks the administration considered a "significant" harm to national security. Congressional supporters balked at their request to create a broad exception to confidenti-



ality and giving the administration sole authority to determine when it applies. Holder said this week the Justice Department's secret review of Associated Press phone records was part of an investigation of a grave national security leak that "put the American people at risk," though he did not specify the danger.

## **Pence signs anti-gang bill**

INDIANAPOLIS - A bill to help keep gang activity out of Indiana schools has been signed by the governor (Tyner, WLFI). Tippecanoe County Prosecutor Pat Harrington testified for Senate Bill 352. He said gangs are everywhere in Indiana, including the Greater Lafayette area. The bill will provide educational training to school personnel to help them identify and prevent criminal gang activity. Harrington said it would enable educators and law enforcement officials to address shifting trends in gang activity before it's too late. "It's a bill focused on how to prevent and deter gangs from recruiting in schools and getting the message out to young kids that gangs aren't a way of life. They're a dead end," said Harrington. The bill was authored by Senator Brandt Hershman (R-7), then Representative Randy Truitt (R-26) carried it in the House. Harrington said schools have until 2017 to develop their awareness programs.

## **Fed deficit falling faster**

WASHINGTON - Since the recession ended four years ago, the federal budget deficit has topped \$1 trillion every year. But now the government's annual deficit is shrinking far faster than anyone in Washington expected, and perhaps even faster

than many economists think is advisable for the health of the economy (Washington Post). That is the thrust of a new report released Tuesday by the nonpartisan Congressional Budget Office, estimating that the deficit for this fiscal year, which ends on Sept. 30, will fall to about \$642 billion, or 4 percent of the nation's annual economic output, about \$200 billion lower than the agency estimated just three months ago. The agency forecast that the deficit, which topped 10 percent of gross domestic product in 2009, could shrink to as little as 2.1 percent of gross domestic product by 2015 — a level that most analysts say would be easily sustainable over the long run — before beginning to climb gradually through the rest of the decade.

## **Feds seek Lake surveyor records**

CROWN POINT - A subpoena requesting almost 10 years of payroll records from Lake County Surveyor George Van Til's office recently was executed by federal agents (Napoleon, Gary Post-Tribune). Mark Pearman, executive director of data processing for Lake County, confirmed Wednesday his department was served a subpoena two weeks ago requesting payroll records for all surveyor's department employees from approximately 2004 or 2006 to the present. The office has complied with the request. The subpoena comes almost a year after federal agents and the Indiana State Police removed computers, hard drives and documents from Van Til's office. The materials were removed from the office June 5. Pearman said he has testified twice before the grand jury in the past year regarding the hard drive and equipment removed from Van Til's office. Andrew Northern, spokesman for the Indianapolis Division of the FBI, declined to name the target.