



# The flogging of Senate hubris

## **Robert Garton's defeat is another indicator of the Old Guard out of touch**

By BRIAN A. HOWEY in Indianapolis

On a stark January day, I received a phone call from the 812 area code. It was from a guy named Greg Walker. He asked me if he should run for the legislature, against one of the true, legendary powerhouses, Senate President Pro Tempore Robert D. Garton.

It was about a 10 minute conversation. He made it clear he was pro-life, a home schooler. He favored Right to Work legislation. There was no question that he was right of center, right of my own moderate politics.

And I gave him an answer that I would give just about any Hoosier but a Nazi, a Kluxer or an anarchist: Run, Mr. Walker. Not so much as to win, but as an instigator of a community conversation. No

legislator should go unopposed. In a district designed to protect the tenure of Sen. Garton, the primary was a way to stimulate that debate. Just as Jeff Drozda did in 2002 against Sen. Steve Johnson. Just as Brent Waltz did in 2004 against Senate Finance Chairman Larry Borst. Just as Richmond

Council President was doing in Sen. Allen Paul's district, Tom Dermody in Rep. Mary Kay Budak's district, Commissioner Rick Eller in Rep. Rich McClain's district.

"You probably won't win," I told Walker. "Don't run specifically to win. It might happen. But there's a greater role for you in this. You will be fulfilling our forefather's intention of good citizenship."

This is a story of power and of commonality. It is a story of hubris. It is a story about redemption, and callousness.

### **At odds with the President**

Sen. Garton personified the status quo. There is no doubt that

Continued on page 3



## Memo to Bauer: Health care peril

By BRIAN A. HOWEY

Memo to House Minority Leader B. Patrick Bauer: Your promises to House Democrats to bring back lifetime health care for legislators should your party return to the majority this November is fraught with peril.



If Rep. Bauer isn't convinced, then let's revisit the scene of the second titanic defeat of a political powerhouse in two years: Senate District 41 in Johnson and Bartholomew counties, which for 36 years was served by Senate President Pro Tempore Robert D. Garton. In the 1998 and 2002 primaries, Garton ran unopposed and received 11,930 and 10,106 respectively. In his last general election,



**"It wasn't our organization. I'm convinced that organizations win elections and candidates lose them. And this candidate lost."**

— Senate President Pro Tempore Robert D. Garton



he received 21,000 votes and defeated a Libertarian by 18,000.

But in his crushing defeat on Tuesday, by a landslide 58-42 percent margin, Garton was defeated by Columbus accountant Greg Walker 2,767 to 2,130. Only 4,897 people showed up. Folks, that's what we in the political world call base suppression. Walker won, in part, because his Right to Life network turned out. But the larger factor was because a huge percentage of Garton's previous supporters didn't bother to vote. The reasons for this could be many: Gas prices, the war, the higher property taxes in places such as Franklin.

**And, of course,** lifetime health care for legislators. This was the program that House Speaker Brian Bosma found so politically explosive that he ended it in February, calling it an "inappropriate" perk. But Garton didn't, insisting that he needed to keep his promise to the 50 senators and staff who were given this benefit in clandestine fashion back in 2001 and 2002.

In his slick TV ads, voters were told that Garton's "word was his bond." The problem with that is that 800,000 Hoosiers – 14 percent – are without health insurance. And for hundreds of thousands of others who have developed sole proprietor businesses and have a pre-existing medical condition, we either go without at the risk of personal financial calamity or we pay through the nose (two years ago, I paid over \$15,000 in health insurance). So who was Garton keeping his bond to: his 50 fellow senators, or the other 60,000 citizens in his district? The lifetime health care issue has now claimed two of the most powerful legislators in the history of Indiana in two consecutive primaries. In 2004, it was responsible for Brent Waltz's 30-vote upset of Senate Finance Chairman Larry Borst. Waltz's polling showed that 80 percent in his district were revulsed by the perk.

Republican challengers Troy



Senate leadership battle	p. 11
Bayh and Electoral College	p. 12
Columnists: James, Shabazz	p. 14
Horse Race: Donnelly polls more votes than Chocola, Stemler defeats Bottorff	p. 15
Ticker: Helmke to head gun control group	p.17

**The Howey Political Report is published by NewsLink Inc. It was founded in 1994.**

Brian A. Howey, Publisher  
Mark Schoeff Jr., Washington Writer  
Mark Curry, Washington Writer  
Jack E. Howey, Editor

**Subscriptions:**  
\$350 annually HPR via e-mail;  
\$550 annually HPR & HPR Daily Wire.  
Call 317-254-0535.

The Howey Political Report  
PO Box 40265  
Indianapolis, IN 46240-0265.

[www.howeypolitics.com](http://www.howeypolitics.com)

BrianHowey@howeypolitics.com

Indianapolis Office: 317-506-0883.

Indianapolis Fax: 317-254-0535.

Washington, DC Office: 202-256-5822.

Business Office: 317-254-0535.

©2006, The Howey Political Report. All rights reserved. Photocopying, Internet forwarding, faxing or reproducing in any form, in whole or part, is a violation of federal law and is **strictly prohibited** without consent of the publisher.

Woodruff, Bill Davis and Billy Bright used the issue against Democratic incumbent legislators John Frenz, Ron Liggett and Markt Lytle in November 2004 with devastating results. So the casualty total on lifetime health care is now five.

The senators who were with Garton at the disastrous February press conference in which he defended the program – Republicans Luke Kenley, David Long, James Merritt and Democrats Vi Simpson and Earline Rogers – have a big problem.

**It was at that presser** that I asked Kenley (lucky for him he's not running this year) if there would be a summer study committee on health care initiatives in Vermont (and, since, Massachusetts, where everyone will be covered). Kenley was dismissive. Didn't know, didn't care.

Garton might have met a different fate had he, Kenley and Simpson stood up and announced a bipartisan study

commission to go to Boston and Montpelier, size up the issue and bring a comprehensive bill into the 2007 legislative session.

**It will be interesting** to see if Bauer, who hopes that Democrats will regain their majority this fall and return him to speaker, will now renounce his plans to bring lifetime health care back for his members while 800,000 Hoosiers go without. This should be a hot issue.

As for the political death knell of Major Moves and Daylight-Saving time, well, disgruntled Hoosiers ticked off about change, it didn't happen. Major Moves never surfaced in the Garton-Walker race.

There were three House Republicans – State Reps. Timothy Neese, Don Lehe and Rich McClain – who faced credible primary challenges where the issue was raised. Lehe won 4,370 to 2,729; Neese 2,862 to 1,169; and McClain 2,046 to 1,714.



Of the two other legislative incumbents who lost – State Reps. Mary Kay Budak and Carlene Bottorff – Major Moves was not an apparent factor. Both Budak and her opponent, Tom Dermody, supported Major Moves. Bottorff was a vocal opponent.

As for that voter angst and anger that I wrote about last week, did it surface?

Well, I can't remember a primary where three incumbent legislators lost. Meanwhile, Republican U.S. Reps. Chris Chocola and Mark Souder – both facing underfunded gadfly

challengers, saw their opponents get around 30 percent of the vote.

So the answer to that question, as I spend \$120 to fill up my gas tank, is yes, people are PO'd. We want to hear solutions. We want both parties to lay out a vision on health care, energy policy, immigration and the war.

And we the people will be more than willing to destroy the careers of politicians who don't. Right Bob? ❖

## Garton's Exit, from page 1

Sen. Garton had restored integrity to the scandal-marred Indiana Senate in 1980 after Chip Edwards was indicted and convicted of bribery. But, in my view, he also became the agent for preserving the status quo, sometime with disastrous consequences. One of the first issues I covered as an *Elkhart Truth* reporter at the General Assembly was the Senate Bill 1 of 1985, the banking reform bill. It was a long process to discover that what seemed like a radical departure from Hoosier norms was far too little, too late. Under the Garton/Borst leadership, Indiana allowed its banking industry ripe for atrophy and takeover.

When crisis seemed to confront Indiana, Garton seemed to be in a hurry up and wait mode. There was talk of property tax reform from the time Frank O'Bannon ran and won for governor in 1996. Garton was an early entrant in that campaign, but withdrew early. He seemed to enjoy having governors kiss his ring.

Five, six years later, property tax reform seemed to be a far off dream, despite Lt. Gov. Joe Kernan's initiation of the issue in the fall of 2001.

In the spring of 2002 when I interviewed then Democratic Chairman Peter Manous, I was stunned to learn that Gov. O'Bannon was upset with some of the "follow, lead or get out of the way" columns on tax restructuring. "They are afraid you're pissing off Sen. Garton," Manous said.

In the Statehouse strata, it seemed as if independent HPR, without a Statehouse roost, domineering publishers, and worried advertisers was the only entity that wasn't afraid to take on the Senate President Pro Tempore.

HPR once quoted a lobbyist in a Borst/Waltz race,

indirectly criticizing Borst. The man called and I was afraid he was going to have a heart attack or seizure. His attorney suggested legal action. I remember storming back, saying that tiny little HPR was the only entity willing to take on powers like Garton and Borst. The lobbyists like to talk a good game of reform, but when it came time for a contested primary, they acted as if the sky was going to fall.

When the revenue numbers came in late that spring, the leadership of Garton and Borst finally let their clutches off the notion of tax reform. It finally passed in late June 2002.

Ironically, this was the same time that Garton was doing some other clever behind-the-scenes maneuvering that would eventually doom his political career. With virtually no one noticing, he and House Speaker John Gregg helped institute lifetime health care for legislators. There were no fiscal impact studies.

In the June 25, 2002, edition of HPR, there was this analysis: Late Friday night, Sen. Garton noted lawmakers' willingness to vote for a major tax increase in an election year. "That's courage, folks. I'm proud of the Senate," he said. Gregg was unabashed in his admiration for Senate leadership. "Garton and Borst apparent-

ly patched things up and worked together. No kidding, Garton is tops. He is the most underestimated guy in the place. If I were in a foxhole and could pick only a handful, Bob G. would be one of them."

Garton would characterize it as a "third floor success." Borst said he was "astounded that everything we set out to do is in that bill."

It would be the apex of power for Gregg, Borst and Garton.





## July 2003 ... two new figures emerge

A year later, a new power center emerged on the Statehouse scene. White House Budget Director Mitch Daniels returned to Indiana, toured the state, and launched a bid for governor. About the same time, another name began to gather recognition, first in HPR and then the *Indianapolis Eye* magazine: Johnson County Councilman Brent Waltz.

In the July 10, 2003, edition, *HPR* observed: An unprecedented political crisis is unfolding, and the talkative, energetic Waltz is positioning himself in what gubernatorial candidate Mitch Daniels might call the ultimate "china breaker." That was a role Daniels, who like Borst is a son of Bulen, might have reserved for himself. While Daniels has just emerged on the campaign trail this week to "listen" and "recruit a new crew" to run Indiana government, it is Waltz who has produced a stunning political indictment on the status quo -- the same status quo Daniels is preparing to confront, and one that includes his old friend, Borst.

Waltz said the unfolding property tax crisis will be the "tactical nuclear weapon" that is going to airburst over Sen. Borst's head." He said that Borst "created" the property tax system in 1972 that the Indiana Supreme Court ruled unconstitutional. "It's kept taxes on older homes in old Greenwood and Perry Township at artificially low tax rates, and newer homes at artificially higher rates. The Supreme Court gave four or five years to fix the problem and the legislature did nothing until the 11th hour. They had a special session last summer to fix the problem and it was poorly planned and even more poorly executed, causing these people to have staggering increases."

Waltz said that more than Governors Robert Orr, Evan Bayh or Frank O'Bannon, Sen. Borst had more to do with formulating Indiana's economy as chairman of Senate Finance. "All major policy formations have come through him. Unfortunately, Indiana is rapidly becoming a third world country and statistic after statistic bear that out," Waltz said.

By April 2004, it was becoming apparent to us at HPR that Borst was in serious trouble. Waltz dropped 10 pieces of direct mail. The legislator health care for life issue was radioactive with 80 percent of those polled revulsed by

the perk. Not only did Waltz use it effectively in his 36-vote upset of Borst in the May primary, but Republicans Troy Woodruff, Billy Bright and Bill Davis would use the issue to upset State Reps. John Frenz, Mark Lytle and Ron Liggett.

Lifetime health care, in a state where 800,000 or 14 percent were without health insurance, had become the third rail of Hoosier politics. Touch it and you die.

In the midst of Borst's fitful and embarrassing recount came Mitch Daniels' coronation at the Indiana Republican State Convention.

Daniels would say, "Bob Orr and Ronald Reagan each met their moment with dignity and courage and leadership and belief in the people they served. That is what we



Gov. Daniels gave his "freight train of change" speech to the GOP convention in June 2004 and Sen. Garton seemed to sign on, calling for new hands on the wheel. The cracks in the Senate Old Guard were already apparent as Senate Finance Chairman Larry Borst was embroiled in a recount that would lead to his loss. (HPR Photo)

must now do. We are so blessed to have right in front of us an opportunity so much grander than winning an election or holding office. We have a chance, by doing those things to serve our state that will allow us years from now in our rocking chairs and on our porches to say, 'Back then in 2004 when Indiana turned the corner. I was there. I had a hand in it.'"

HPR reported in its June 10, 2004, edition, "It was a concept that appeared to be universally accepted. Even Senate President Robert D. Garton, on the brink of a possible leadership challenge from a restive Republican caucus emboldened by Daniels' atmosphere of change and the pending loss of State Sen. Larry Borst, sounded like a reformer. "Our ship of state needs a new set of hands," Garton said, calling for an Indiana "that would set an example for all states to follow."

Garton called for "major reform -- from BMV to FSSA" -- and said that electing Mitch Daniels was the only way. "Who's going to lead that charge?" Garton asked. "Mitch Daniels. I pledge the state Senate will support that vision and with a Republican House will make it happen. This is the year."



## ***Fast forward 2005***

If 2004 represented the year when true power returned to a Republican governor from the Senate president pro tempore, 2005 seemed to be a year of buyer's remorse. The epicenter, ironically, turned out to be the very BMV that Garton had cited at the GOP convention a year earlier.

Garton seemed to hem the governor in on the budget when gaming options were taken off the table. Facing a special session, Gov. Daniels backed down, then heralded the "first truly balanced budget in 10 years." It could have been taken as a slap at the Garton/Borst leadership that had signed off on the five previous biennial budgets.

Then in May 2005, BMV Commissioner Joel Silverman announced the closing of 12 license branches, including the one in Hope. The timing got the legislature in a stew; it came shortly after sine die. Sen. Garton fumed.

"I represent these people. And you are not going to close this Hope branch," Garton declared.

It took a month where Garton and Daniels appeared to be at loggerheads, but the governor backed down. "Keeping the branch open is obviously very important to the senator," gubernatorial spokeswoman Jane Jankowski said. "Senator Garton has served Indiana well for three decades. The senator's leadership will be crucial to the governor's future plans for growth and reform."

The governor's humility on the Hope BMV paid off. During the 2006 session, Garton backed Major Moves and held his caucus together to get it passed. Daniels' legislative liaison John Okeson said the key element was "trusting the instincts of Borror, Bosma, Meeks and Garton and what it would take for Major Moves to move it along each step of the process."

## ***Greg Walker emerges***

Throughout late 2005 and early 2006, there was a

search for a "Brent Waltz" to put Garton in his place. There were no gubernatorial fingerprints on this. In fact, Gov. Daniels attended a Garton fundraiser last December.

But the Rex Earlys and Bill Schneiders of the world were searching. It was former legislator Jon Padfield who first talked to Walker. Then Walker talked to HPR.

Run for the community debate, I told Walker, not just to win. And let me know when you decide. We'll cover your race.

Walker e-mailed back. He was attempting to put together a statement explaining his challenge. "This is more difficult than I had surmised. I will respond yet this evening. GW"

I wrote Walker back: "Greg ... explain who you are (the executive summary version). Explain why you can do the job. Explain why voters should vote for you over your opponent. Speak from your heart; use your intellect."

On Jan. 27, Walker sent me his statement of candidacy:

"I wish to announce my candidacy for Indiana Senate District 41. My decision to run for public office is based on my conviction that the voters in District 41 need a choice when they go to the polls on primary day," Walker began. "I respect the commitment Senator Garton has made to serving in the capitol building for these past 36

years. However, the senator has not been opposed in a primary election bid in twelve years. I offer myself as an alternative in the Republican primary. What makes me a viable candidate? Firstly, my cherished wife of seventeen years, Allison, and our four children Michaela, Andrew, Hannah, and



**Greg Walker**

Rebecca form a strong and loving family unit, which is the foundation of any strong nation. My wife and myself home educate our four children, teaching them character, virtue, and faith are more important than personal fame, wealth, or power. The manner in which one manages his household reflects leadership abilities more than do public accolades and awards.

"My faith in God governs my convictions. I am pro-life, because our Creator has given humans their worth as living souls. I believe in taking personal responsibility for one's actions, and personal liberties should prevail as long as one behaves responsibly. This truism dictates that I support the second amendment, and I support the right to choose education options for one's family without oppressive regulation. Revisionist judges should not secularize religious expression in Indiana.



Sen. Garton tangled with the Daniels administration over the closure of the Hope BMV branch after the legislature's sine die in 2005. BMV Commissioner Joel Silverman was chastised by Garton. Yet, Lt. Gov. Becky Skillman endorsed Garton in the waning days of his campaign. Daniels, it was explained, had come to trust Garton with his reform agenda. (HPR Photo)



"Finally, whatever you do, do your work heartily, as for the Lord rather than for men...for he who does wrong will receive the consequences of the wrong which he has done, and that without partiality" Col. 3:24-25. Indiana senators should be men and women who can serve in the best interests of Hoosiers, rather than acquiesce to their own interests. I wish to make prudent decisions in the state capitol without bias or favoritism due to rank."

**Greg Walker**

*Born and raised in Columbus, IN  
Bachelors in Finance, Indiana University 1989  
Worked for state government as a tax auditor for five years.  
Currently working as an accountant for Macs Convenience Stores, Columbus, IN  
Member of the Lords Church, deacon, treasurer*

A few weeks after he announced, State Sen. Brent Waltz met with Walker to size him up.

Walker mentioned that he supported public hangings, said Waltz, who supported the Garton re-elect. "I waited for the punchline, and after about 30 seconds, realized there wasn't one."

***The ticking health care bomb***

As Greg Walker earnestly wrote up his campaign statement, the lifetime health care time bomb was ticking.

This issue was reported in various newspapers in 2005. By December, a source inside the Senate Republican Caucus had detailed a briefing by Sen. Kenley about the unfunded costs of the health care program. The figure of "\$1 billion" in unfunded liability had been uttered.

In my Jan. 12, 2006, column, I wrote, "The problem here is that Indiana's legislative leaders have lost their bearings. This happens when the rank and file allow them to pull these kinds of stunts. The only way to get them back to reality is when the white hot heat of public opinion threatens their tenure."

Some understood the radioactivity of the program. House Speaker Brian Bosma quickly rescinded the House version, calling it "inappropriate."

As Walker was preparing his candidacy, senators held the first of two incredible press conferences. "We have

hired an actuary to try and understand these numbers a little bit better," State Sen. David Long, R-Fort Wayne, said at a Statehouse press conference hours after Bosma pulled the plug. "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 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



Sens. Kenley and Garton defended the legislator lifetime health care perk on the day before filing deadline at a disastrous press conference. On Election Night, Kenley, often described as the smartest man in the Senate, called Garton's 58-42 percent defeat "unbelievable." (HPR Photo)

whatever reason and the Senate sustained the governor's veto."

In 2001 and 2002, Garton helped engineer what has become the "legislator health care for life" trough wallow. It even includes ex-spouses. No one, except Garton, can



remember any public hearings on the matter. But Statehouse sources told HPR that HEA 1196, Section 141 (2002), made the annual appropriation, but as for the liability to taxpayers, the 19-page fiscal impact statement in citation for IC 2-5-1.1-17, reads, "Reserved."

Then came the fateful Feb. 18 press conference that forever could impact power in the Indiana Statehouse. Garton gathered senators Luke Kenley, David Long and Democrats Richard Young, Vi Simpson and Earline Rogers to announce his "reforms." An aide to Sen. Simpson suggested that under duress, the Democrats had been told by Garton to show up. The fact that Kenley and Simpson, once gubernatorial contenders, would even want to touch this radioactive issue was curious.

Kenley said the current changes for the Senate would mean the program would cost "less than 1 percent" of the billion dollar figure. "The number now is less than 1 percent of the number put out by Brian Howey," Kenley said.

**Reporter:** "What was the original cost?"

**Kenley:** "I don't think anybody put out a figure and said, 'Here's what it is under the old plan.' We didn't worry about the old plan because we knew we weren't going to go to the old plan. The rough back-of-the-envelope estimate we have now is less than 1 percent of that amount."

**Reporter:** "So you're not going to tell us what it is currently?"

**Kenley:** "The actuary can't do it."

**Reporter:** "Well, if you can tell us that it is less than 1 percent with the new changes, why can't you tell us what it is currently?"

**Kenley:** "We're paying the guy money to do this, OK? So, once you decide you're going to make a change, then that number becomes relevant within the context of what you think is a reasonable fair plan. We didn't pay him to do a full actuarial study."

**Reporter:** "You have said we've all over-estimated."

**Kenley:** "Well, to the first part of your question, I never said that number. I don't know where you would get that number."

**Howey:** "From a member of the Senate Majority Caucus."

**Kenley:** "I don't know whether you would consider that to be a credible source or not."

**Howey:** "I'm just trying to figure out where there is a credible source."

Toward the end of that press conference, I tried to steer it into the future, asking Sen. Kenley if there would be a summer study committee to look at health care plans in places like Vermont (Massachusetts would come later). Kenley was dismissive. "I don't know anything about that," he

said. The well being of 150 legislators seemed trump the insurance problems facing 800,000 Hoosiers.

Walker took note of the controversy and suggested that Garton had been caught with his "hand in the cookie jar."

As the Walker candidacy got untracked, he requested the permission to use the Howey columns on lifetime health care. It was granted, as it would be with any other mainstream candidate.

Every time a Howey column deals with the 800,000 Hoosiers without health care, my e-mail box fills up with comments from around the state. *Elkhart Truth* editorial page Editor Stephanie Gattman confirmed the same thing. "You write about legislator health care and we get a lot of feedback." Other editorial page editors from Lafayette and Lake County passed on the same feedback.

The *Indianapolis Star's* Matthew Tully wrote, "A group of Indiana Senate leaders from both parties stood together Wednesday -- proud and united in their out-of-touch, inept selfishness. How bad was it? In my 14 years in journalism, I've covered hundreds of news conferences. But I've never seen one that was more ridiculous, more downright offensive than this."

But it wasn't just editors who were fascinated and



Former Columbus city attorney Terry Coriden files for SD 41 and prophetically explained that Garton's defeat was not only "possible" it is "doable." (HPR Photo)

angered by the health care for life issue. Out-going Indiana Republican Chairman Jim Kittle Jr., pulled me aside after announcing J. Murray Clark as the new chairman last winter and urged HPR to "keep writing" on the issue. There was encouragement from some quarters of Gov. Daniels's office along the same lines, though not directly from Daniels and certainly not Lt. Gov. Skillman, who found herself endorsing the savior of the Hope BMV from her own administration.

As the Feb. 19 filing deadline drew close, Walker had filed. So had former Columbus city attorney Terry Coriden, who filed as a Democrat. But Garton hadn't. Was he thinking about stepping aside? He had already annointed Sens. David Long and James Merritt as successors, though now they, too, are tainted by the health care for life fiasco.

"What you've seen in the past is a non-responsive senator," Coriden explained when he filed at the Statehouse. "This session, when we have the needs of property tax relief, we have the needs of adequate and health insurance at



affordable prices. He sponsors no bills. He writes no bills. You don't see things being pushed through under his leadership."

He called his challenge to Garton and a fall victory not only "possible," but "doable."

At the disastrous press conference in February, HPR asked Garton if he was going to file the next day. "We'll see," he said, before making a cryptic comment along the lines of "You'd be happy if I didn't."

I remember thinking: To the contrary, Senator. Covering you is like writing about Bobby Knight. Bad style; good copy.

### ***The Walker campaign springs to life***

Walker's campaign seemed to be going the route of many wilting challengers. On March 30, HPR reported, "All quiet" in SD41. The press reported that Garton had a 3 to 1 money advantage. He was running TV ads on Columbus cable.

That would change six days later, when Indiana Right to Life PAC endorsed Walker. Right to Life was upset because President Garton snuffed HB 1172 in the waning hours of the 2006 General Assembly. That bill provided that informed consent to an abortion includes the requirement that a physician inform a pregnant woman that a fetus may feel pain. Additionally, language was added to the bill in the House to state that life begins at conception and to require "written information about adoption alternatives and physical risks of an abortion procedure to be given to a pregnant woman at least 18 hours before an abortion" can be performed. RTL PAC's Mike Fichter was incensed over Garton's role in killing the bill twice, in the final week after a secret paper ballot in the Majority Caucus, and in the final 15 minutes of the session. And, Garton refused to fill out RTL's candidate questionnaire.

"The Indiana Senate has a 2-to-1 Republican margin, and yet it failed to pass HB 1172," Fichter, executive director of Indiana Right to Life and chairman of its PAC, told HPR. "We see that as a failure of leadership due to Sen. Garton. Clearly, pro-life legislation was not a priority for him."

Fichter said that Indiana RTL has between 2,000 and 2,500 active members in SD41, which spans Bartholomew and Johnson counties. He called those "raw resources." Garton has been unopposed in recent primaries. In 1998, he received 11,930 votes and in 2002, he polled 10,106.

"We have assigned a staff person to this race,"

Fichter said. "Our people are fired up and ready to make a change. We have a razor-thin margin of time and money to work with."

Suddenly, Garton had two red meat issues stirring his competition. A third element, \$15,000 in radio ads from the Association of Builders and Contractors of Indiana, which represents nonunion commercial and industrial contractors, also was in play as part of the Right to Work effort.

By mid-April, Walker told HPR, "The campaign has continued on well, and is gaining momentum. I have been encouraged by my efforts from door walking. I find a lot of people are receptive to my message of fiscal and moral conservatism." Walker took a leave of absence during April to campaign.

To combat the health care and abortion stories, the Garton campaign planted a July 2003 letter in which Walker advocated public flogging. "All we're doing is criminalizing our citizens, who should rather be encouraged to change their behavior," Walker said. "Judges should have the discretion for alternative sentencing." He referred to a verse in the New American Bible, Proverbs 10:6, which reads, in part, that "the rod is for the back of a fool."

The *Columbus Republic* and *Johnson County Daily Journal* ran the story. The *Republic* editorial chided Walker, asking him whether he was truly serious about the issue.

Even with that story, there was an air of worry with Garton, who told the *Indianapolis Star*, "It's the only environment where knowledge and experience is held against you."

We didn't fully understand, but the blood was in the water.

On Monday, April 27, WTHR-TV's Kevin Rader reported from Columbus on the Walker campaign. There was Walker, featuring a 1970 Plymouth Valiant, which he bought for \$500 on e-Bay.

And Walker used his 30-seconds of earned media on the most powerful TV station to adroitly pound in a couple of powerful points. "Thirty-six years in office is long enough," Walker said. He called the Valiant "Mitch on a budget."

"It was brand new the year my opponent first took office in the Indiana Statehouse," Walker said. "I think it is time to trade it in."

As Walker went door to door, he explained Garton is "out of touch for having the time and interest to establish life-time health benefits for the Indiana Statehouse when he doesn't have time to address the problem of 800,000 Hoosiers who don't have health insurance. He has the time and interest to establish a \$4 match in his retirement account



Walker with the best campaign prop since RV1 - the 1970 Plymouth Valiant he bought on eBay for \$500. When it came to earned media, he hammered away at life-time health care. (WTHR-TV Photo)





when Hoosiers don't have the ability to pay for their own medical expenses."

Garton, perhaps prophetically, responded, "This is not a normal campaign."

Things had changed in Columbus. The big corporate headquarters such as Arvin who salivated over Statehouse influence are gone. Mega fundamentalist churches are rising up in the district.

He rushed out an endorsement by Lt. Gov. Becky Skillman in Franklin. That was followed by endorsements from Bartholomew County GOP Chair Ted Ogle and Johnson County Chairman Doug Lechner late last week. Those were all red flags. By this time, Garton was seeing bad numbers.

When Walker's six pieces of direct mail began arriving at homes, the landslide was cast.

On Monday, the *Columbus Republic* endorsed Garton, writing, "His long record of representing his constituents is one that should not be lost in the future. Sen. Garton clear choice in primary. Although this is a preliminary political skirmish for these offices, there is one race that is especially vital to this community, one whose outcome could determine the future of Bartholomew and Johnson counties. That is the contest for the Republican nomination to represent District 41 in the Indiana Senate between Sen. Robert Garton and Greg Walker. The outcome of this primary contest is so important that the Editorial Board of the Republic feels it essential to endorse Sen. Robert Garton. In addition to representing this district over the past 36 years, Garton is the longest serving president pro-tem of the Indiana Senate in the state's history. In that capacity he has built an aura of influence that has enabled him to advance the cause of the district he represents in especially meaningful ways."

But the *Columbus Republic* and *Johnson County Daily Journal* barely covered the race, as did the *Indianapolis Star*. Borst and Garton had an impact on almost all major legislation and in 2004 and 2006, the mainstream press took a pass on coverage of both. And then they wonder why readership declines.

The TV reporters, Rader and WISH's Jim Shella, did cover the race and probably had an impact.

Even FOX59 weighed in on Monday night: According to Indiana political pundit Brian Howey the primary to watch is that of Statehouse Senate President Bob Garton (King, WXIN-TV). "This is a very competitive race and it could go either way," said Howey. The three-decade plus Republican from Columbus is in the run of his career. Opposition to pro-life legislation and support for a cush healthcare plan for all legislators, Howey says, put Garton in hot water with voters. "He helped initiate healthcare for life for the legislature in 2001 and 2002 and the specifics are very murky." Columbus



Garton is consoled on Tuesday night. His base failed to turn out. (WTHR-TV Photo)

accountant Greg Walker has launched a formidable campaign touting change. Experts think the tight race gives even more reason for those registered to get out. "I think this race has statewide ramifications and those living in Johnson and Bartholomew counties ought to weigh in and vote," said Howey. Tuesday's vote is the first primary challenge for senator Garton ever since he was first elected back in 1970.

### ***Election night, Columbus, Indiana***

This was the second consecutive election cycle where a Senate titan met with GOP primary defeat. Of the long-time power triumverate of Garton, Borst and Sen. Joe Harrison, only Harrison walked away from the Senate on his own terms.

With about 14 percent of the vote in around 7:30, we did the math. Only 1,100 had voted and Walker had a 20 percent lead. Projected over 100 percent, that meant 7,800 votes. Even that wasn't right. Only 4,800 votes were cast, with Walker winning 2,767 to 2,130, far below the 10,000 to 11,000 votes in Garton's last two unopposed primaries. His base was suppressed. They stayed home. The health care for life issue was devastating.



Walker: Sen. Garton has conceded."

Around 9:07 p.m. Garton called Walker, "Greg, this is Bob Garton. I called to congratulate you. It appears you have won and I congratulate you on your victory."

"Thank you Senator, I appreciate that very much," Walker said, before turning to his supporters and saying, "Sen. Garton conceded." The crowd erupted in exuberant cheers.

Garton explained, "It wasn't our organization. I'm convinced that organizations win elections and candidates lose them. And this candidate lost."

Walker told his supporters that he hoped to "work together in humility." He vowed to defend the lives of the unborn. And he said, "I want to thank my wife for not throwing me out of my home."

### ***Epilogue***

The race boiled down to a classic social vs. economic Republicans. The Chamber, Indiana Manufacturers and the ISTA sided with Garton; Indiana Right to Life sided with Walker.

For the third consecutive election, the social conserv-



atives have upset a more moderate economic Republicans, with Borst falling in 2004 and Sen. Steve Johnson losing to Jeff Drozda in 2002. The common thread was the direct mail developed by consultant Mark Collins, who handled all three challengers.

Garton's loss sets up mind-bending scenarios over who assumes power. Could it be State Sens. David Long, Luke Kenley and James Merritt who attended that disastrous February press conference where Garton refused to end legislator health care for life? Are the social conservatives - Sens. Dennis Kruse, Michael Young, Mike Delph or Brent Waltz - strong enough to make a move? Or will a compromise candidate from the long line of midling senators - Johnny Nugent, Bob Meeks or Tom Weatherwax - be in a position to emerge? Could the caucus turn to someone like State Sen. Brent Steele?

All bets on power in the Senate are off.

Walker, meanwhile, is no shoo-in this November. He faces a formidable challenge from Coriden in what could be a Democratic year.

While the flogging issue obviously didn't hurt Walker's base, it could with moderate Garton Republicans and independents. Moderate Republicans and independents won't likely be turned off by Coriden. HPR will put this race in a Horse Race "tossup."

**Lifetime health care:** This is now the third rail of Indiana politics. It has resulted in the defeats of two of the most powerful legislators in the state's history, and five in the last two election cycles. Will House Minority Leader B. Patrick Bauer, who is secretly promising to reinstitute it in the House, understand this?

**Mainstream media:** Newspapers have lost major political advertising ground to television. Editors truly believe that most people are bored with politics. Newspapers minimized themselves by taking a pass on a race involving leadership. Their approach was more along the lines of protecting the hometown powerhouse. If ever there were races that could have allowed local media to fully explore state and local issues, it was the Borst/Waltz race in 2004 and the Garton/Walker race this year. But the local press largely took a pass. As with the Borst/Waltz race, the incumbents wasted

about 90 cents on every dollar by advertising on Indianapolis TV. Direct mail wins elections and there will be more and more campaign funds going into DM and internet campaigning than TV, which may have reached its apex. If Sen. Luke Kenley was smart, he'd have Mark Collins lined up for the May 2008 primary.

**The social conservatives:** There is no question that in primaries, the social conservatives are becoming a force to be reckoned with, as the Drozda, Waltz and Walker victories attest.

The key question is how far can they project this emerging power and influence into the upper chamber? Will they be wise, and use this power to forge alliances and seek meaningful legislation that could reduce the number of pregnancies and, thus abortions? Or will they use it to bash gays, seek concepts such as "intelligent design" and come up with pro-life legislation that simply works the margins? And with the social conservatives with more influence, will this cut into the MO of such organizations as the Indiana Chamber, the IMA and ISTA? These groups suckle up to existing power. We recall one lobbyist who was mentioned in a story about the Borst/Waltz race and he just about had a seizure and even threatened HPR with



At the first February presser on lifetime health care, Sen. Garton had that wary look of defeat in his eye. He filed for re-election only hours before deadline. (HPR Photo by Brian A. Howey)

legal action. Now, the old leadership molds have been shattered, and there will likely be corresponding shifts in the power and heft of these organizations and the people who populate them. There will be new openings.

**A stronger governor:** Gov. Daniels reacted to Garton's loss by noting the Senate President had been supportive of "most" of his reform agenda.

Forget for a moment that Gov. Daniels approval rating is in the 30th percentile. With Garton and Borst gone, there will be a significant shift of power away from the Indiana Senate to the governor. Indiana's governorship is constitutionally weak, and with forces like Garton and Borst spreading the kind of fear and heavy handed tactics they became famous for, that situation was exacerbated. Whoever replaces Garton in the Senate presidency will not wield the kind of influence we've seen over the past 26 years. At least not during this governorship. ❖



## Senate power stakes, in thirds

By BRIAN A. HOWEY

So, now what?

There's only one senator -- Johnny Nugent -- who was in the Upper Chamber when Bob Garton and Larry Borst struggled to claim the Senate President Pro Tempore chair in 1980 following the indictment and resignation of Chip Edwards. Borst took the Finance consolation prize.

First, Senate Republicans must go through the grievance process, which has already started.

"I'm heartsick," said Sen. Tom Wyss, R-Fort Wayne (*Fort Wayne Journal Gazette*). "His integrity, his belief that government should be about laws and not men, his belief in rules. Bob was a great leader. It's going to be difficult because there are a lot of people who want leadership. I hope people remember that we were a team before yesterday, and we should remain a team. We shouldn't let one or two issues divide us."

Sen. Robert Meeks, R-LaGrange, said he was shocked by the outcome (*Fort Wayne Journal Gazette*). "I just can't understand why the folks from that district, that have a man in that position and has so much authority and has done so much for the integrity of the state Senate, how they could afford to vote him out," he said. (*Hint to Sen. Meeks: Lifetime health care*). "I don't think that's something that should even be speculated about right now," said a shocked Nugent on the leadership battles.

"Most of us have never been through the election of a pro tem where you have multiple candidates," said Sen. Pat Miller. "Frankly, I think the Senate is going to need some time to think about this. I can't begin to think today what we would do."

Past leadership coups by Sens. Luke Kenley and Murray Clark were quickly sniffed and snuffed by Garton, with mutineers relegated to the back bench. It ultimately forced Clark out of the Senate and into the role of Indiana Republican chair.

The Conventional Wisdom factions of the news media and the Senate Majority Caucus burped up these usual suspects: Kenley, David Long and Jim Merritt.

The Majority Caucus now has three factions: the conservatives, the progressives and the weathermen (going which way the wind blows).

"I don't want to just go out and have a bloody battle to win this and then for it to continue to be a battle afterwards," Kenley said. "I don't think that's a good idea."

Kenley, Long and Merritt's collective problem is they were part of the disastrous February press conference defending lifetime health care.

In our view, the current leadership mold has been completely shattered. The new social conservatives -- Mike

## 2006 Legislative

**Senate District 41:** Republican: Greg Walker.

Democrat: Terry Coriden. Libertarian: Kenn Gividen. **1998**

**Results:** Garton 26,499. 2002 Results: Garton 21,918, Gividen (L) 3,350. **2006 Primary:** Walker 2,767, Garton, 2130 (R), Coriden (D) 803. **2006 Forecast:** Walker motivated his Right to Life and Right to Work base. But, clearly,



the Garton base stayed home. The critical question is whether Walker can woo them back in November. It is going to be a challenge for any Republican given the current national and state environment. Base sup-

pression played a huge role in 1994 for Democrats lost control of Congress and the Statehouse. Coriden is very acceptable to moderate Republicans and independents. He has a good reputation and can work off Columbus Mayor Fred Armstrong's organization. He can also feed off the support former Congressman Baron Hill is expected to generate in his race against U.S. Rep. Mike Sodrel. And, we expect, the state Democratic Party will be targeting this seat. At this point, we see this a pure tossup. Walker will have to explain his support for public flogging and other extreme right issues that will not play well with independents. Coriden can be expected to run to the middle with a centrist message. **Status: TOSSUP.** ❖

Delph (who has already said he might declare), Jeff Drozda, Brent Waltz, Dennis Kruse, Mike Young -- are certainly a force to be reckoned with. But there are not enough of them to prevail. Kruse told the *Journal Gazette* that "It's possible" a social conservative might emerge. But he also said that Long is a capable leader and part of the "new guard."

Delph was more emphatic, telling the *Indianapolis Star*, "The next president pro tempore will be a strong conservative." Drozda was more restrained, saying, "The next leader will either be part of the new conservative wing, or it will be someone who can demonstrate that they can abide by our philosophies."

HPR sees several potential "bridge" senators who might be able to play to both the social conservatives and moderate: Sens. Brent Steele and Tom Weatherwax.

"Obviously, it's going to open up a Pandora's box," Meeks said of Garton's defeat. "That in itself will create havoc."

"Who knows?" Ford said. "There may be a lot more of us gone come November." ❖



## Another busy week for Bayh

By MARK CURRY  
The Howey Political Report

WASHINGTON, D.C. - It's been another busy week for Sen. Evan Bayh. The two-term senator has been in and out of the spotlight in both local and national venues ranging from the Linton Daily Citizen and the University of Virginia's Cavalier Daily to MSNBC and the Drudge Report.

### ***A drive across the street?***

On April 28, the 7,500 subscribers to Linton's newspaper were treated to a short item about Bayh in a column by the assignments editor. Nick Schneider commented on a story reported by the Washington Post April 26 which poked fun at a bevy of the nation's Senators who have bemoaned rising oil prices yet were seen using gas-guzzling SUVs to "drive across the street."

"What the senators were driving showed a bit of insincerity and double-standardness that tells me that the problem [of high gas prices] won't be solved any time soon," wrote Schneider, who went on to note that Bayh was seen entering a 14-mpg Dodge Durango V8 presumably for the quick trip back to his office, which is located across the street in the Russell Building. On April 30, after dozens of news outlets across the country reported on the Post story, including the HPR Daily Wire and others in Indiana, the senator's office told the Indianapolis Star that "Sen. Evan Bayh does not get picked up at the Capitol for the drive across the street to his Senate office, as the Post reported...so he must have been going to a meeting or other event."

Sen. Bayh's staff was undoubtedly more pleased with the content of an opinion article entitled "A winning duo for 2008" published in the April 28 issue of The Cavalier Daily. Josh Levy, an opinion columnist for the University of Virginia's student newspaper, looked into a crystal ball to learn who the Democrats will run for president in the 2008 election and saw a ticket headed by Evan Bayh with former Virginia Governor Mark Warner as veep. "Bayh will be able to appeal to many across party lines with his record of reining in government spending," Levy wrote.

### ***'Call Me Cynical'***

Yesterday, the MSNBC website ran an article written by Howard Fineman of Newsweek that recounted a recent lunch with political consultant and Democrat James Carville. The name of a certain former Indiana governor came up during the course of the meal.

"I don't think Mark Warner is catching on out there, but Evan Bayh is raising a surprising amount of money," Carville said. Fineman commented: "Call me cynical, but this would indicate to me that Carville is more worried about Warner - a former governor of Virginia, with \$200 million of his own money - than he is about Sen. Bayh, the carefully decent but determinedly uncharismatic centrist from Indiana."

The Indiana senator's effort to garner name recognition was boosted considerably shortly after noon on Tuesday when the Drudge Report, which claims more than 11 million hits a day, posted a link that read "Dem '08 Hopeful Bayh: Electoral College Should Be Eliminated..." The link, which remained on Drudge for several hours, transported the reader to the pages of the Raleigh, N.C., News & Observer and the gist of an interview with Bayh dated May 1.

### ***Electoral College 'not appropriate'***

Staff Writer Rob Christensen was assigned to interview Bayh who was in Raleigh last weekend to speak at the state Democratic Party's annual Jefferson-Jackson Day dinner. The interview included questions about Democratic prospects in 2008, the war in Iraq, and jogging with North Carolina favorite son John Edwards. Further into the interview the reporter asked "Why do you think we should abolish the Electoral College?" Bayh's reply: "I think our president should be chosen by the majority of the American people.

That is ordinarily the case. But in 2000, as we all recall, we elected this president with fewer votes than the other candidate got. I just don't think in the modern era that is appropriate."



Sen. Bayh campaigning in Iowa recently. (Bayh Flickr Photo)



## Taking Care Of Business

Bayh's office distributed four press releases in the last week:

- **Bayh Continues Fight to End Patriot Penalty:** Senator introduces amendment to expand eligibility for Patriot Penalty relief (April 27)
- **Bayh to Introduce Legislation to Fully Fund U.S. Special Operations Command Intelligence Collection Capabilities and Personnel Needs:** As part of tough and smart national security plan, Senator says America must maintain intelligence edge (April 28)
- **Bayh Offers Senate Resolution to Lower Foreign Trade Barriers on U.S. Goods:** Senator says high tariffs create unfair playing field, hurting U.S. workers and manufacturers (May 2)
- **Bayh Pushes to Close Tax Gap:** Senator says closing tax gap is first step to reducing deficit (Bayh is urging an increase in funding for IRS tax enforcement activities) (May 2)

Just before noon today he was slated to join Sens. Jeff Bingaman (D-NM), Norm Coleman (R-MN), Joe Lieberman (D-CT) and Lincoln Chafee (R-RI) at a press conference to outline legislation they are introducing, the Enhanced Energy Security Act of 2006, which "aims to reduce U.S. oil demand by increasing fuel efficiency, new technologies and related programs," according to a media advisory.

The senator will be in Indianapolis next weekend to appear at two events that are open to the press May 13.

Earlier in the day he will speak to participants at the first-ever "Camp Bayh," a three-day event at IUPUI to train future political professionals in "the nuts and bolts of organizing campaigns."

Later he will appear at the Indiana J-J dinner to hear Rep. Harold Ford, Jr. (D-TN) deliver the keynote speech.

Bayh is slated to present the DePauw University commencement address May 21. ❖

## Bayh calls for gas tax relief

WASHINGTON - With Hoosiers facing skyrocketing gas prices at pumps across Indiana, U.S. Sen. Evan Bayh today called on the Internal Revenue Service (IRS) to increase the amount of money spent on gas that Americans who use their personal vehicles for business purposes can deduct from their taxes. Bayh sent a letter today to IRS Commissioner Mark Everson requesting the change for all business-related car travel, in light of the impact high gas prices are having on Hoosier businesses.

"The skyrocketing cost of gas is having a dramatic impact on American small businesses – the engine of American job creation," Senator Bayh said. "The higher the gas prices, the less profit they have to show for their work. With gas prices over \$3 a gallon in places, we can and should act immediately to help our small businesses make ends meet."

**Unlike many of the other plans** that address today's gas prices, the Administration could act immediately on Senator Bayh's proposal, which would not require a vote by Congress. In addition, there is a precedent for such action, as the IRS temporarily increased the reimbursement rate last fall when Hurricane Katrina sent gas prices over \$3 a gallon.

In his letter, Bayh asks the IRS to increase the current gas reimbursement from 44 cents per mile to nearly 49 cents a mile to ensure that people are able to deduct the real cost of driving their car. That small change adds up to significant savings for business owners, and could save Hoosiers

hundreds of dollars this year. For example, Norm Newhouse in Elkhart, Indiana, travels an average of 600 miles each week for his job with Life Time Industries. With the higher reimbursement rate Bayh has called for, Norm could deduct an additional \$800 from his taxes, on top of what he already deducts for gas.

**The idea of increasing the** current gas tax reimbursement level was first brought to Bayh's attention by another Hoosier, Lindi Marti of Angola, who travels approximately 3,600 miles a year for her job. Lindi was already feeling the strain from the increasing gas prices, as are many small business owners.

In a poll of their members, the National Association of the Self-Employed found that "over 70 percent of micro-business owners say that rising gasoline prices are significantly or moderately hurting their businesses." In a separate survey by the National Business Travel Association, 66 percent of respondents said their companies were concerned about how they can maintain their travel budgets and meet business needs in the face of rising gas prices.

The larger tax deduction would not only benefit business owners, but would help all Hoosiers who rely on the businesses for their goods and services.

In the same National Association of the Self-Employed survey, "Forty-three percent of respondents said they have had to increase prices of service or products because of skyrocketing costs." With less pressure from gas prices, business owners would be able to avoid such increases for their customers. ❖



**Matthew Tully, *Indianapolis Star*** - It must be a surreal experience for an old-school political boss. The realization that it's too late, that all of the self-interest and insider protectionism have pushed voters just a little too far. The realization that no amount of campaigning or disingenuous TV commercials will sway a once-loyal public. The realization that at some point, voters give up on you -- and they won't be swayed no matter how many goodies your lofty position provides them. I wonder at what point Senate President Pro Tempore Robert Garton had that realization Tuesday night. As the primary election results began to trickle in, I wondered what he was thinking. Was he promising in desperation to be better, to think a little less about the interests of himself and his colleagues, if only voters would give him one more chance? We'll probably never know. Garton, who seemed as hooked on power as the rest of us are on oxygen, never came across as a candidate for self-analysis -- or apologies. Undoubtedly, as the results came in, he saw himself as a victim of the press and a public that just doesn't understand. In reality, though, the public understood just fine. The public understood that at some point some legendary politicians must go, even if they have the power to save your license branch. From Congress to the Statehouse, a long line of leaders has seen careers ended by voters no longer impressed with titles. Voters have said goodbye to speakers and chairmen. On Tuesday, Republicans in the Columbus area said goodbye to a president pro tempore. Politicians can survive a lot of things. Being seen as out of touch is often not one of them. The tossing of Garton brings questions about the direction of the Senate. But it also brings one certainty: The Statehouse will be less interesting. But what weakened him most was his handling of the Senate's lifetime health-care benefit. While House Speaker Brian Bosma killed the benefit in the House, Garton stood by it. Rarely has a perk inspired more public anger. The perk came to signify much of what is wrong with the Statehouse. And Garton was the perk's poster child. He wore it like a Scarlet L on his chest. So he ran ads that sought to convince voters he was just Bob, an average guy looking out for his people. That message was a loser. Garton made clear months ago, when he dug in on the health-care issue, that his people were the men and women who sat around him in the Senate's leather chairs. He won't be sitting in his chair much longer. But at least he still has his lifetime health-care benefit. ❖

**Rich James, *Post-Tribune*** - I never thought the day would come when I would include lawyers in my bedtime prayers. That day arrived last week. The Lake County Bar Association issued its ratings for the Lake Superior Court, County Division, judges, magistrates, referees and those run-

ning for a judgeship on May 2. They were rated for competence, temperament and character. If you read between the lines, the lawyers have an awful lot to say about politics and the May 2 primary elections. Bringing up the rear in each of the three categories are Stanley Jablonski and Eduardo Fontanez, the two candidates challenging Judge Jesse Villalpando in Division Four. Third from the bottom in each category is Division Three Judge Julie Cantrell, who isn't up for re-election. Jablonski, Fontanez and Cantrell all have one thing in common — Bobby "The Fix Is In" Cantrell. Bobby is Julie's father, and he's godfather to Jablonski and Fontanez. Bobby wants Villalpando off the bench, largely because Jesse refused to do business with the addiction treatment firm Bobby uses to make money and intimidate people. What the lawyers said was that they don't want Bobby's fingers in the county court system. ❖

### **Abdul-Hakim Shabazz, [www.howeypolitics.com](http://www.howeypolitics.com)**

- A possible legal settlement involving the City of Lawrence could have ramifications across the state of Indiana, particularly Marion County. The Council is currently reviewing a proposed settlement in a Voting Rights Act lawsuit. If agreed to, the settlement would create a minority-populated district in Lawrence. You would call it gerrymandering. I call it Jerri-curl mandering. (For the white people reading this blog, Jerri curls were very popular in the mid 1980s amongst some black folks. Go rent "Coming to America" and you'll know what I'm talking about. The complaint, filed by Lawrence resident Regina Dillard in September 2004, alleges the make up of the City Council violated the Voting Rights Act because it diluted minority voting strength. Currently the Council is made up of six district seats and three at-large seats. Dillard says it is difficult for minorities to run for the Lawrence Council and win because of the at-large seats. Under the terms of the settlement, the three at-large seats will be eliminated and replaced with three district seats. The plaintiff's and her attorney have to petition the legislature for the change however. There are two aspects to this case which make it interesting. First, the attorney for the plaintiff, Stephen Laudig, would be paid \$21,000 from the City of Lawrence and the Marion County Election Board. Laudig and his client Dillard have to go the Legislature to petition the change, however there is no guarantee the Indiana General Assembly will make the change. So they could literally find someone to sponsor a bill that goes nowhere and they will have met their terms of the settlement. What a way to make \$21,000. Some council members have a problem with this. ❖



## 2006 Congressional Races

### Congressional District 2: Republican: U.S. Rep.

Chris Chocola, Tony Zirkle. Democrat: Steve Francis, 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:** *Donnelly got more votes than Chocola (Wensits, South Bend Tribune).* Donnelly collected 30,301 votes districtwide, compared to 24,805 votes cast for Chocola. That won't necessarily transfer to the fall campaign, when far more voters are likely to turn out, but it may be an indication that Donnelly is starting to get the name recognition he will need if he is to compete against Chocola." And, Even more surprising is that unofficial totals showed little-known

Republican contender Tony Zirkle getting 10,621 votes, about 30 percent of the GOP district total. Although Zirkle ran on sometimes controversial issues, he spent less than \$2,000 and campaigned little outside of St. Joseph County. The GOP chairman for St. Joseph County suggested that the surprisingly large Zirkle vote came from Republicans who were "a little ticked off" by Iraq, gas price and other issues and "wanted to take it out on someone." **Status:** TOSSUP

### Congressional District 7: Republican: Ron Franklin,

Eric Dickerson. Democrat: U.S. Rep. Julia Carson, Bob Hidalgo, Kris Kiser, Joseph "Hippie Joe" Stockett.

**Geography:** Indianapolis. Media Market: Indianapolis. **People:** Urban 99.7%; median income \$36,522; poverty 13.5%; race white 63, black 29.4%, Hispanic 4.4%, Asian 1.3%; blue/white collar 26/58%; **2000 Presidential:** Gore 55%, Bush 43%; **Cook Partisan Voting Index:** D+6. **2002 Results:** Carson 77,478 (53%), McVey 64,379 (44%). **2004 Results:** Carson 121,303, Horning (R) 97,491, Campbell (L) 4,381. **2006 Forecast:** Dickerson upset the slated Ron

Franklin, but he faces an uphill battle against the frail Carson. **Status:** LIKELY CARSON

### Congressional District 8: Republican: U.S. Rep. John

Hostettler. Democrat: Vanderburgh County Sheriff Brad Ellsworth. **Geography:** Evansville, Terre Haute, Greencastle; Posey, Vanderburgh, Warrick, Gibson, Pike, Martin, Daviess, Knox, Sullivan, Greene, Owen, Clay, Vigo, Vermillion, Parke, Putnam, Warren and part of Fountain counties. **Media**

**Market:** Evansville, Terre Haute, Indianapolis. Lafayette. **People:** Urban/rural 58/42%; median income \$36,732; poverty 10.7%; race white 93.7%, black 3.7%, Hispanic .9%; blue/white collar: 32/52%. **2000 Presidential:** Bush 56%, Gore 42%; Cook Partisan Voting Index: R+8. **2002 Results:** Hostettler 98,952 (51%), Hartke 88,763 (46%), **2004**

**Results:** Hostettler 145,576, Jennings (D) 121,522, Garvin (Green) 5,680. **2006 Forecast:** Ellsworth has watched the returns with fellow county Democrats in election after election

after election. On Tuesday, he spent the day shaking hands and introducing himself in Terre Haute. Then he hosted a wait-for-the-results party at the VFW. Vigo County was added to the 8th District in 2001. In both 2002 and 2004, the majority of county residents voted for Rep. John Hostettler's opponent. About 150 party activists went to the gathering, Ellsworth said. "You have to get to know those people in the rest of the district," he said. He wants to convince them he'll speak for them just as much as for voters in his hometown. He said it's only natural that the more they talk with you, the more they'll trust you and support you. You can't always get that from a 30-second television spot, he said. Before he started running, he didn't know Terre Haute well. "It really is a lot of fun to get to know those people," he said. "People are the same. They're worried about their economic development and improving their cities. And the national issues." Voters want to compare notes and get his opinion, he said. "I think they are not satisfied with the way the district or the country is going," he said. Hostettler, like most incumbents, voted at home and then flew to Washington to vote on bills. House members generally are in Washington from Tuesday to Friday morning. Ellsworth said he still has a lot of work to do to get name recognition outside the Evansville area. But he said he's starting to get responses like, "Oh, yeah, I've heard about you. It's good to meet you. I read a story about you in the paper."

Even on his home turf, he said, people are still learning where he stands on national issues. That process won't end if he's elected, he said. He feels he would have a responsibility to explain to voters why he voted the way he did on newsworthy bills. "Good communication is really paramount," he said.





"And I think I could do that." **Status:** TOSS-UP

## 2006 State Races

**Senate District 4:** Republican: Democrat: State Sen. Karen Talian, Larry Chubb. **1998 Results:** Craycraft (D) 16,824, Wenger (R) 13,414. **2006 Forecast:** Talian defeated Chubb to win her first nomination. **Democratic Primary Status:** *LEANS TALIAN.*

**Senate District 23:** Republican: Hendricks County Councilman Dick Thompson, Susan McGrady, Phil Boots, James Detamore. Democrat: Open. **1998 Results:** Harrison (R) 21,175 Shelby (D) 11,436. **2002 Results:** Harrison 23,811. **2006 Forecast:** Phil Boots won this nomination, denying a return to the Senate by Dick Thompson. The final results were Boots 4,529; James R. Detamore 3,246; Susan B. McGrady 1,559; and Thompson 2,715. **Status:** *LIKELY BOOTS.*

**House District 55:** Republican: Union County Councilman Tom Knollman, Scott Bevington. Democrat: Dale Lanning. **2004 Results:** Hoffman 17,410, McGlothen (D) 6,864, Marcum (L) 800. **2006 Forecast:** A strong turnout in the second-smallest county in the state gave its hometown candidate the Republican nomination for District 55 (*Richmond Palladium-Item*). Union County Republican Tom Knollman defeated Connersville Republican Scott Bevington by 658 votes. Knollman received 3,241 votes or 56 percent to Bevington's 2,583 or 44 percent. Knollman faces Democrat Dale Lanning in the November election. The 55th District seat is open because of the retirement this year of State Rep. Bob Hoffman of Connersville. Hoffman had endorsed Bevington and was his campaign chairman, but Knollman won every county in the five-county district except Fayette. It was Knollman's margin in Union County that made the difference, both candidates said. Knollman received 80 percent of Union County's Republican votes, defeating Bevington there 1,067 to 251. Union County had a primary turnout of 33 percent. "It's amazing the turnout they got in Union County, three times the number of people who voted as compared to the last time," Bevington said. "There were almost as many votes in Union County as in Fayette County, which is just amazing. Hats off to them." Farm Bureau Elect, the political arm of the farm organization, endorsed Knollman, which helped in the mostly rural district, Bevington said. "Being from Union County helped him a lot and negative campaigning works," Bevington said. "I'm so grateful to Fayette because I got 70 percent of the vote here." Knollman said tears filled his eyes when he heard the Union County totals announced in the Union County courtroom. "I think Union County pulled me out," Knollman said. "I told the truth and I was myself. It isn't

just my victory because I had a lot of help. Dan and Mae (Hubbard) worked a lot. It's a big district. It's time they got represented." **Primary Status:** *LEANS BEVINGTON.*

**House District 57:** Republican: Shelbyville Councilman Rob Nolley, Shelby County Councilman Sean Eberhart, Edward Dundas, Karen Frazier, Marvin Pavlov. Democrat: J.D. Lux. **2002 Results:** Stine (R) 8,384, Wheeler (D) 5,429, Jester (L) 508. **2004 Results:** Messer (R) 16,004. **2006 Forecast:** Shelby Councilman Eberhart won this race with 2,245. Nolley ran second with 1,385. Eberhart now faces Democrat J.D. Lux. **Status:** *TOSSUP*

**House District 58:** Republican: State Rep. Woody Burton, Johnson County Council President Ron West. **2002 Results:** Burton 9,917, Montgomery (D) 3,453, Miller (L) 437. **2004 Results:** Burton 18,766, Turley (D) 7,420. **2006 Forecast:** Burton has polled and is now running attack ads against West, criticizing him for tax increases while serving on the Johnson County Council. This race has obviously tightened up. **Status:** *TOSSUP.*

**House District 71:** Republican: Greg Marquart, Joe Theobald. Democrat: State Rep. Carlene Bottorff, Steven Stemler, James McClure Jr. **2002 Results:** Bottorff (D) 9,385, Singleton (R) 5,388. **2004 Results:** Bottorff (D) 17,949. **2006 Forecast:** Democrat Steve Stemler has denied state Rep. Carlene Bottorff a chance to win her late husband's District 71 seat, according to unofficial Clark County primary results (*Louisville Courier-Journal*). Stemler, who owns a plumbing company and is a former Jeffersonville City Council member, won the Democrats' nomination for the seat by 145 votes. "I'm excited about the opportunity in the fall to get out and talk to more people and learn further about what's on people's minds," Stemler said yesterday. According to the unofficial results, Theobald had 978 votes to Marquart's 309. In the Democratic primary, Stemler had 4,207 votes and Bottorff 4,062 votes. James McClure Jr. of Clarksville was in the race but not a factor. Bottorff was appointed to the seat in December after the death of her husband, Jim Bottorff. He had held the seat for 15 years. "I knew from the beginning it was going to be a tight race," she said yesterday. "I am a newcomer to the political arena, even though I had always worked behind the scenes with Jim." Voters "didn't know me that well," she said. Bottorff said she called Stemler yesterday to congratulate him. But given problems in tallying the votes, she still wants to see the official results. If the county can't fix its computer problems, Bottorff said she might seek a recount. **Status:** *LEANS STEMLER* ❖





## Helmke to head Brady gun control group

INDIANAPOLIS - The Board of Trustees of the Brady Campaign to Prevent Gun Violence and the Brady Center today named Paul Helmke, the former three-term Republican Mayor of Fort Wayne, Indiana, to lead the organization as President. Mr. Helmke is an attorney and is highly regarded for the courage and integrity he has demonstrated throughout his political career. He served as President of the U.S. Conference of Mayors and is known in political circles as deeply committed to bipartisan cooperation. The announcement of his selection comes as Mayors across the U.S. are engaging aggressively and publicly in efforts to fight illegal gun trafficking - an issue on which the Brady organization recently announced a broad grassroots based campaign. "Paul Helmke is a brave, smart man, a dynamic leader who has always put principle before politics and results before partisanship. We are very excited about what he will bring to this incredibly important fight," said Phyllis Segal, Chair of the Board. Sen. Richard Lugar said "My good friend Paul Helmke has been an outstanding civic and legal leader in Indiana. As a three-term mayor of the State's second largest city, Fort Wayne, he led the reinvigoration of neighborhoods, improvements in community safety and the expanded reputation of the city. His positive personality will serve him well in this new leadership role."



## Dominguez thanks puppies for winning election

CROWN POINT - His opponents had more money, billboards and

political endorsements. Sheriff Rogelio "Roy" Dominguez said he prevailed Tuesday in the all-important Democratic primary to win re-election because he was able to turn his biggest campaign crisis into a plus with a shrewd play of the media -- and because he was kind to puppies (*Times of Northwest Indiana*). Dominguez admits his campaign was low-key, low expense and sometimes awkward in its execution. He said his heart dropped when the Buncich campaign inserted same-name candidates Anthony "Tony" Dominguez and Roy Del Rio in the race to sow ballot confusion. He said he used that to his advantage. "They corrupted the ballot, so I wanted people to feel that my pain was their pain. I didn't know if they would vote for me, but I wanted people to know this desperate attempt to put in Anthony Dominguez, who didn't run a sincere campaign and still got (4,231) votes," the sheriff said. He said ending the euthanasia of most stray pets at the county Animal Control Center won him a lot more votes than Buncich could with all the political endorsements in the area.

## Mayor Clay severs ties with King firm

GARY - Mayor Rudy Clay fired a law firm with ties to former mayor Scott L. King and said that future lawyers hired by the city will earn 40 percent less in hourly fees (*Post-Tribune*). Board of Public Works members Wednesday canceled a contract with Meyer & Wyatt, the law firm founded by James Meyer and King that had handled most of the city's outside legal work during King's 11 years as mayor.

## Dobis, Bauer last of Class of '70

MUNSTER - The class of 1970 dwindled to two — Rep. Pat Bauer, D-South Bend, and Rep. Chet Dobis, D-Merrillville — after Senate President Pro

Tem Robert Garton's surprise loss in Tuesday's primary (Walsh, *Post-Tribune*). Dobis is tied with only Bauer, the House minority leader, for the most seniority in the General Assembly after Garton's upset loss in the primary. He said Garton's long tenure can both help and hurt a candidate. The same name recognition and record also makes a legislator into a target. Garton was upset by a first-time candidate Greg Walker, who drove around the Columbus district in a 1970 Plymouth Valiant, telling voters his car, like their senator, may be due for a trade-in. "No longer how long you have been there, you are still accountable to voters," Dobis said.

## Parker demands FSSA probe

INDIANAPOLIS - Indiana Democratic Party Chair Dan Parker called on state Inspector General David Thomas and Marion County Prosecutor Carl Brizzi to look into a contract awarded by the Family and Social Services Administration to its chief financial officer, Richard E. Rhoad. Rhoad worked as an employee of the agency until January 2006, when he received a state contract that nearly doubled his salary. He makes \$180,000 a year under the new contract, which was authorized by FSSA secretary Mitch Roob. "When a top state official outsources himself for twice the price, someone should be taking a closer look," Parker said. "This is taxpayer money, and Hoosiers demand that this administration use it wisely and legally." He also urged Brizzi to investigate a possible violation of the criminal conflict of interest statute (IC 35-44-1-3), which prohibits a public servant from deriving a profit from contract connected to that public servant's agency.

