

Politics Indiana

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Weekly Briefing on Indiana Politics

Thursday, April 16, 2009

Change Dems don't believe in

Bayh, Bauer taking different path from the new president

By BRIAN A. HOWEY

NASHVILLE, Ind. - If you were there on May 2, 2008 - at the Indiana Democratic Party's Jefferson-Jackson Day Dinner - you heard candidate Barack Obama say, "You don't have to sit here and watch our leaders do nothing. I learned we don't have to consign our children to a future of diminished returns, a future of few opportunities. We don't have to stand by, we don't have to wait, we don't have to put off, because this is the United States of America"

I remember the room at the Indiana Convention Center exploding into applause.

That Obama was speaking under party sponsor banners by sheetmetal union chief Jay Potesta and building



trades leader
Tom O'Donnell
- longtime
Democrats both
backing Gov.
Mitch Daniels'
re-election - was
a supreme irony.

I was half joking last year when I wrote that Indiana might have been the only state in the union during the Obama-Clinton battle where many Democrats were really voting for vice president.

U.S. Sen. Evan Bayh had

dropped his own presidential campaign and with Hillary Clinton maintaining a 25-percent lead in the polls in Sep-

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Shame of Indiana

By MORTON J. MARCUS

INDIANAPOLIS - Most of the 150 men and women who sit in the Indiana General Assembly are fine people. This column, however, is too short to detail how they become a collective disgrace.

They continue to vote along strict party lines.



Virtually every Democrat and Republican is in lock-step with the caucus leadership. Even their web sites are segregated. House Republicans and Democrats have their own websites as do Senate Democrats and Republicans. Four websites announcing to all that party is the over-riding organizing principle for these puppies.





"Obama is making a major mistake in not forcefully outlining the rules of civilization for dealing with pirates. We look weak."

- **Newt Gingrich**, Twittering Saturday, a day before the Navy Seals rescued an American held by pirates.



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Are your interests being represented or are they being sacrificed to the interests of partisanship? When we read that all the Democrats in the House voted against all the Republicans in the House on a given issue, we know that independence has been cruelly killed by the leadership of each party. The same applies to the Senate.

The result is a stalemate over the budget. Once more we are seeing our state's future stretched on the rack of politics by the masters of the legislature. Each party ignores the governor's attempts at mod-

eration by attempting to sell out our future for votes in the next election.

We can do something about this. We can elect a legislature in 2010 that is committed to nonpartisan redistricting so that elections are contested with greater vigor. This may be the best way of getting rid of the deadwood that leads to deadlock. Otherwise we might have to demand legislative term limits to eradicate the infestation that afflicts us today.

Consider this: The legislature is seeking to cover the financial disgrace of the Indianapolis sports facilities under the Capital Improvements Board (CIB). Sweetheart deals at Lucas Oil Stadium (home of the Colts) and Conseco Fieldhouse (home of the Pacers) left CIB without enough cash to cover expenses.

Solutions proposed in the legislature: Increased taxation and a new casino for downtown Indianapolis (possibly on the White River or on a moat surrounding the Statehouse).

Long ago legislatures nationwide decided that sports facilities are public goods. Economists normally define public goods as those where people can not be excluded from use. While there are no "pure" public goods, traffic lights and street lights are good examples. The safety I gain from those lights is not diminished by your use of them. Whereas, if I can afford a seat at a Colts game, someone else can not use it.

Indianapolis, Gary, South Bend, and Fort Wayne have been

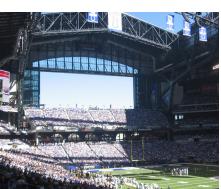
convinced that new professional sports facilities "deserve" public money. The same cities do little of substance to support the arts, but shell out for athletic entertainment. The argument is that downtown will benefit; restaurants will flourish, tourism

will be increased, and kids will have fun.

Now, to help out the CIB, our Indiana General Assembly is seeking to increase existing taxes and find new sources of revenue. That an Indianapolis casino would spell the death of casinos in Anderson and Shelbyville, while diminishing the attractiveness of other gaming venues in the state, is not of concern to the proponents of the bill.

This legislature wants to define school days in terms of teachers instead of students. When the superintendent of public instruction wants snow days made up in full, the legislature is willing to have teachers engage in other activities as a substitute for teaching. Meeting with parents and improving skills are important; perhaps teachers should have separate compensation for these activities, but not at the expense of teaching.

This is the legislature that cut unemployment taxes while raising benefits, squandered a surplus and now faces a massive deficit. We, the people of Indiana, must demand a legislature whose purpose is not politics but the public welfare. ❖





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Democrats, from page 1

tember 2007, the junior senator endorsed her. The thought was that the once-in-a-generation senator from next door Illinois - Barack Obama - wouldn't choose a runningmate from Indiana motivated Bayh and his Hoosier Democratic allies to tie in with Clinton.

Clinton won the Indiana primary by about a half percent, but essentially lost the nomination that same night. Obama's meteoric rise while derailing the Bush/Clinton dynasties was stunning. It took only about a month

before Bayh's vice presidential aspirations were rekindled. He began showing up on Obama veepstakes short lists. There were conspicuous joint appearances at Purdue, Elkhart and Portage (complete with campaign film crews shooting away) and on the eve of the Democratic National Convention, Bayh found cable news crews camped on his front lawn.

And then came Joe Biden.

After Bayh was nipped in the veepstakes, the Obama campaign stormed back to Indiana with a

House Speaker B. Patrick Bauer with former East Chicago Mayor Robert Pastrick. Inertia has gripped the Indiana Democratic Party under Bauer's leadership.

vengeance and the clarion message was this: Change. It would not be business as usual in Washington. It shouldn't be business as usual in Indianapolis, either.

But watching Sen. Bayh and the Democrats in the Indiana General Assembly, I see nothing but continued political calculation, inertia and status quo. After watching Bayh trend left during his presidential run and veepstakes, he has abruptly moved back to the right. There are conservative Republicans like State Sen. Marlin Stutzman of Howe and former state representative Dan Dumezich of Schereville preparing a challenge in 2010 while assailing his Senate Banking Committee oversight during what became an epic Wall Street meltdown. They are pulling Bayh back

to the right. A Democratic blog likened the Stutzman candidacy to a "joke." Yet in recent years, we've heard similar sentiments only to find Bart Peterson, Robert Garton and Larry Borst not laughing on election night.

For the man who hoped to be a heartbeat away, Bayh has voted against Obama on a couple of key votes, including the budget blueprint that the President hopes will bring in an era of energy independence and health care reform. It would be unfair to castigate Bayh for not following the party line after criticizing Congressional Republicans for doing the same. But Bayh seems to have joined New Hampshire Sen. Judd Gregg - once an Obama cabinet nom-

inee - running away

from the team in a fit of self-preservation.

In the Indiana General Assembly, we watch Democratic House Speaker B. Patrick Bauer and Senate Minority Leader Vi Simpson either call for party line votes against the allbut-dead Kernan-Shepard reforms, or gutting everything without even the decency of allowing the reforms to be fully debated in each chamber.

You can argue against some of the Kernan-Shepard reforms - as many of my editors and readers have - but to flush away

almost two years of civic engagement under the leadership of Indiana Supreme Court Justice Randall T. Shepard and former Gov. Joe Kernan in the amateurish manner that Bauer flunky John Bartlett did in the House is an insult.

That many reform-minded Democrats across the state sat this chapter out is supremely disappointing.

And I am here to tell them that there is a potential bitter harvest awaiting in 2010. Look no further than Kokomo, where City Councilman Mike Karickhoff is poised to challenge Democrat State Rep. Ron Herrell. When Herrell wins, the House stays Democrat. When he's defeated - as he was in 2004 - the GOP takes control. Howard County has also backed the winning gubernatorial candidate over



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the past decade and we find an April 1-2 Public Opinion Strategies Poll showing Gov. Daniels with a 69 percent approval rating despite the ghoulish economy.

Karickhoff said he is "generally supportive" of the Kernan-Shepard reforms, though he does not favor all 27 recommendations. He's like most Hoosiers (including me) who see some of the reforms as obvious and others we can live without. He, too, is angered by Bauer's royal flush.

In my analysis of the 11 closest Indiana House races in 2008, Democrats had six seats where the margin of victory was less than 2,000 votes, not including Herrell, who was not seriously challenged. And that was with Obama becoming the first Democrat to win the state in 44 years. State Reps. Joe Pearson, Scott Reske, Nancy Michael, Vern Tincher, Bob Bischoff and John Barnes will not have the Obama tailwind next year; they may be facing the kind of political challenge that tends to come in a first presidential mid-term election. Remember that Presidents Reagan and Clinton suffered huge losses in 1982 and 1994 (Clinton, in fact, lost control of Congress).

And the stakes couldn't be higher since the party controlling the House in 2011 redraws the congressional and legislative maps. Republicans are already pressing for redistricting the way Iowa does it, with a scientific, nonpartisan way to prevent the gerrymandered districts that perpetuate the kind of inertia unchallenged legislators foster.

I remember Sen. Bayh at the Democratic National Convention in Denver telling the nation, "The time for change has come and Barack Obama is the change we need."

I remember listening to candidate Obama at his campaign kickoff in Springfield, Ill., in February 2007. He said, "Washington must change. The genius of our founders is that they designed a system of government that can be changed."

Just 12 weeks after Obama took control of the White House, we find Hoosier Democrats in the same place we find Congressional Republicans. They are against change. They induce inertia and the status quo.

Or, as President Obama explained in his speech on the economy last Tuesday, Washington has an "attention span that has only grown shorter. When a crisis hits, this town tends to lurch from shock to trance" instead of "confronting the challenges in a sustained fashion." He added, "This is not one of those times. The challenges are too great; the stakes too high. We have been called to govern in extraordinary times."

Indiana Democrats have misread their own president's challenge. They have been called to politics in extraordinary times, and they risk reaping what they sow. •



Tax protesters between the Simon Mall headquarters and the Indiana Statehouse. (HPI Photo by A. Walker Shaw)

The most surreal Statehouse Tax Day

By BRIAN A. HOWEY

INDIANAPOLIS - Wednesday - April 15 - was a surreal tax day at the Statehouse.

Shortly before 2,500 loud but orderly tax protesters showed up mingling between the Statehouse, the George Washington statue, and the Simon Mall Headquarters, the Republican-dominated Indiana Senate passed the Capital Improvement Board bailout.

It will increase alcohol, rental car, event tickets and possibly downtown parking for the common man, helping the CIB dig out from at least a \$47 million deficit (what a relief to write about "millions" instead of "trillions.") This will help the Colts and Pacers - owned by the Irsays and Simons - find their stadiums lighted and heated in the coming years. Of course, we have no idea how bad the economy will get and whether \$47 trill ... um, million is even accurate. General Motors and Chrysler look as if they are headed toward bankruptcy. Fiat may bug out on Chrysler. Indiana still may have to endure some major economic body blows.

State Sen. Mike Young, R-Indianapolis, said on the Senate floor prior to the protest, "If this was the very last day and this was the bill before us...I probably would vote no, but I know this is not the last day, and this is not what is going to be law. It may be something similar, but there may be other things that we haven't thought about."



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Ya think?

In a policy tryst of strange bedfellows, conservative Republicans Mike Delph and Brent Waltz were joined by liberal Democrats Charles Taylor and Jean Breaux in voting with the minority in what was a 33-17 passage of the stand alone CIB bailout. They are not planning on hiding it inside the biennial budget.

This is the same Republicandominated Senate that passed their biennial budget by a 32-18 vote that relies on a generous helping of President Obama's stimulus money. Oh, this is a delicious irony. That's the money Gov. Mitch Daniels didn't want in the budget, fearing the state might go over a "cliff."

The CIB bailout now presents
House Speaker B. Patrick Bauer with a
dilemma. With Indianapolis Republican
representatives like Dave Frizzell, Phil
Hinkle and Mike Murphy - a future 5th CD
congressional candidate - possibly waivering on voting for tax hikes, the CIB bailout
might need to be rescued by House
Democrats.

The other strange aspect is that in all the tax howling, few had connected the Kernan-Shepard reforms that Bauer spiked and the estimated \$600 million in annual savings to the rest of the tax universe.

Speaker Bauer began his April 15 tax day in a rather bizarre mode, too. First, he killed the property tax caps even though a recent Public Opinion Strategies Poll showed the public supports it 72-20 percent. He refused to let U.S. Rep. Mike Pence address the House chambers, much to the protest of House Minority Leader Brian Bosma. And he did everything he could to adjourn the House prior to the 4:30 p.m. tax day tea rally by the Simon headquarters, citing "security concerns."

It's always interesting when public servants become alarmed by a gathering of the people.

Bauer will look at this and see two possibly distinct scenarios. One, he will force Republican Indianapolis Mayor Greg Ballard to betray his 2007 campaign stance against tax hikes, paving the way for a Democratic mayor in 2011. However, (two) will he want Democrats voting for any kind of tax increase with control of the House in supreme doubt in 2010? This will likely be a challenging year for President Obama's party. Even if Indiana Democrats act like a loosely affiliated branch of Obama-Biden LLC?

Even if the CIB bailout passes the House, there is no guarantee that it will pass the Indianapolis City-County Council, where fearful Republicans - already pondering the





idea of cutting the Ballard millstone around their neck, have a scant 15-14 majority. Many of the 2,500 tax protesters complained bitterly about millionaire sports owners like Mel and Herb Simon and Jim Irsay. Yet these conservatives were howling at Obama's decision to end the Bush tax cuts, which really only impact the upper 2 percent of the population. It's always delicious to find middle class average Joe Plumber type Republicans who vociferously protest the Bush tax cuts or the inheritance tax.

Here's the other unreported aspect of the CIB's \$47 billion ... er, million ... deficit. Last year, the New York Times analyzed NFL quarterbacks and discovered that at age 38, their production (unless you're Warren Moon) tails off precipitously. The most recent example was New York Jets QB Brett Favre, who turned 39 last fall and tanked at the end of last season.

If you're Jimmy Irsay, you have to be looking at wunderkind QB Peyton Manning and note his age of 33. You have

to figure that he has five, maybe six good years left in him. After the Manning era ends, there may not be a 25,000-fan waiting list for tickets. And if you're raising Colt ticket prices by slapping on a 10 percent tax, you're in the process of pricing the Colts away from the common man and his family, who won't be able to afford a \$500 day (with cheap seats) at Lucas Oil Stadium.

You have to wonder how much longer aging GM Bill Polian will be the draft genius. You have to wonder if in the next seven or eight years, the Colts might become a mediocre team no longer able to fill the stadium. The stadium dilemma comes at the height of the golden era of Colts football. Jimmy Irsay is simply working to consolidate his position, like any good businessman.

The fact that Gov. Daniels came in and took control of building the stadium, while leaving Mayor Peterson (er, Ballard) holding the bag on maintenance and operation, is kind of like invading Iraq without an end game of how the country will be maintained.

So the final two weeks of this legislative session are going to be harrowing for those brave senators and representatives who will have to cast tough votes (as opposed to being a firefighter, or a cop, or an Indiana National Guardsman or woman over in Afghanistan, or Bronco Stankovich running a Mittal blast furnace, or the guy scrubbing ore freighter smoke stacks at Burns Harbor).

What's that old saying? People usually get the government they deserve. •



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Redistricting reforms come to the forefront

By BRIAN A. HOWEY

INDIANAPOLIS - Thirteen states around the nation have created redistricting commissions. Could Indiana be next?

State Sen. Mike Delph, R-Carmel, saw Senate Concurrent Resolution 95 pass out of the Senate by a voice vote (after passing committee unanimously) and now awaits action in the Indiana House. It is a concept that counts Gov. Mitch Daniels and House Minority Leader Brian Bosma as potential supporters.

"It's my hope that through an in-depth study of latest available technology, we will be able to improve the process and find a redistricting solution that maximizes voter participation while keeping communities with like interests together," Delph said. "Our districts should allow Hoosier voters to choose their elected officials instead of elected officials choosing their voters."

If the House allows this resolution to pass (which, as with most reform legislation, is questionable), the obvious starting point for study is Iowa, which has had a nonpartisan redistricting commission since 1981. Since 1980, Iowa has used a nonpartisan redistricting service, called the Legislative Service Bureau. Even though the state legislature twice rejected the bureau's maps in 1981 and ultimately drew up its own, Iowa

lawmakers have generally accepted the bureau's proposals. Most importantly, no district voting lines have been drawn by the courts since the 1980 legislation was passed.

The Iowa Legislative Services Bureau develops three plans that can be accepted or rejected by the legislature.

According to Centrist.org, the four criteria for the bureau's plans, in descending order of importance, are:

- **1.** Population equality.
- **2.** Contiguity.
- **3.** Unity of counties and cities (maintaining county lines and "nesting" house districts within senate districts and senate districts within congressional districts).
 - **4.** Compactness.

 Currently not a single Congressional district splits

up any of Iowa's 99 counties.

In order to make as much information as possible regarding the redistricting process available to the public, three public hearings are required to be held on the first proposed plan from the Legislative Service Bureau. Additionally, Iowans can request paper maps depicting proposed district lines from the bureau.

A commission consisting of four civilian members chosen by each caucus in the legislature and a fifth chairperson, chosen by the commission itself, is responsible for advising the bureau, but only upon the bureau's request. If the legislature does not approve the first three plans by the bureau, it must itself approve a plan by Sept. 1, or the Iowa Supreme Court will take responsibility for the state

districts. The governor has veto power over plans, regardless of how they are developed.

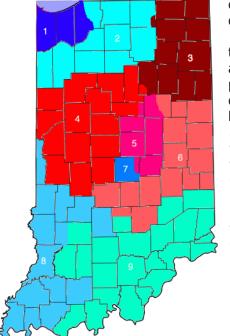
Political Impact: Since 1981, the Iowa Legislature has been quick to accept the Legislative Service Bureau's plans. Its recommendations may be inconvenient to incumbent state legislative leaders and members of Congress, who are often placed in very competitive districts, but that only highlights the perception that they are fair and nonpartisan, Centrist.org observed.

During the last redistricting, the Iowa legislature rejected the bureau's first plan but accepted the second. As Centrist.org observed, "Four out of Iowa's five new congressional districts are fairly evenly divided between Democrats and Republicans, mirroring the state's overall makeup. Only the 5th district, which runs down the state's western border, has a solid majority of Republican voters.

Iowa is likely to lose a congressional seat in the 2010 census while Indiana is projected to keep its nine seats.

Ohio draws its legislative maps via the Ohio Apportionment Board, which convenes every 10 years following the census, draws the single-member legislative districts for the Ohio General Assembly. Each of the 33 Senate districts comprises three contiguous districts of the 99 House of Representatives districs. The board has five members: the governor, secretary of state, state auditor, a member selected by the House Speaker and Senate leader, and a member selected by the House and Senate leaders of the other party. This format ensures that no party can hold all five seats. At least one seat will belong to the minority party. It has an Oct. 5, 2011 deadline.

The Ohio legislature draws the congressional maps.





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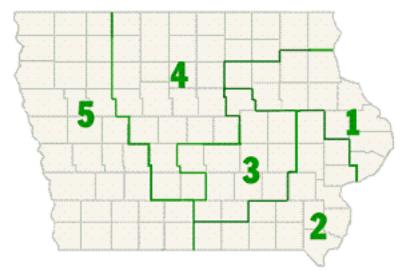
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The state is facing the loss of two congressional seats following the 2010 census, the most of any of the 50 states.

Here are how the other 11 states draw their maps:

Alaska: Governor appoints two; then president of the Senate appoints one; then speaker of the House appoints one; then chief justice of the Supreme Court appoints one. At least one member must be a resident of each



judicial district. No member may be a public employee or official. It must produce a plan 90 days after the census is officially reported.

Arizona: The commission on appellate court appointees creates a pool of 25 nominees, 10 from each of the two largest parties and five not not affiliated with either of the two largest parties. The highest ranking officer of the House appoints one from the pool, then the minority leader of the House appoints one, then the highest ranking officer of the Senate appoints one, then the minority leader of the Senate appoints one. These four appoint as chair a fifth from the pool, not a member of any party already represented on the commission. If the four deadlock, the commission on appellate court appoints the chair.

Arkansas: Commission consists of the governor, secretary of state, and the attorney general.

Colorado: Legislature selects four; (speaker of the House; House minority leader; Senate majority and minority leaders; or their delegates). Governor selects three. Judiciary selects four. Maximum of four from the legislature. Each congressional district must have at least one person, but no more than four people representing it on the commission. At least one member must live west of the Continental Divide.

Hawaii: President of the Senate selects two. Speaker of the House selects two. Minority Senate party selects two. These eight select the ninth member, who is the chair. No commission member may run for the legislature in the two elections following redistricting. It has a deadline 150 days after commission formation.

Idaho: Leaders of the two largest political parties in each house of the legislature, each designate one member; chairs of the two parties whose candidates for governor received the most votes in the last election each designate one member. No member may be an elected or appointed official in the state at the time of designation.

Its deadline is 90 days after the commission is organized, or after census data is receive, whichever is later.

Missouri: There are two separate redistricting committees. Governor picks one person from each list of two submitted by the two main political parties in each congressional district to form the House committee. The governor picks five people from two lists of 10 submitted by the two major political

parties in the state to form the Senate committee. No commission member may hold office in the legislature for four years after redistricting. It must complete restricting within six months.

Montana: Majority and minority leaders of both houses of the Legislature each select one member. Those four select a fifth, who is the chair. Members cannot be public officials. Members cannot run for public office in the two years after the completion of redistricting. Its deadline is 30 days after the plan is returned by the Legislature.

New Jersey: The chairs of the two major parties each select five members. If these 10 members cannot develop a plan in the allotted time, the chief justice of the state Supreme Court appoints an 11th member. The initial deadline is one month after the 11th member is picked.

Pennsylvania: Majority and minority leaders of the legislative houses each select one member. These four select a fifth as chair. If they fail to do so within 45 days, a majority of the state Supreme Court selects the fifth member. The chair cannot be a public official. The deadline is 30 days after the last public exception that is filed against the initial plan.

Washington: Majority and minority leaders of the House and Senate each select one. These four select a non-voting fifth to chair the commission. If they fail to do so by Jan. 1, 2011, the state Supreme Court will select the fifth by Feb. 5, 2011. No commission member may be a public official. It has a Jan. 1, 2012 deadline.

Advisory Commissions

Maine: Speaker of the House appoints three. House minority leader appoints three. President of the Senate appoints two. Senate minority leader appoints two. Chairs of two major political parties, or their designees appoint one. The members from the two parties repre-



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sented on the commission each appoint a public member, and the two public members choose a third public member. The commission must submit its plan to the legislature within 120 days after the legislature convenes in 2013. The Legislature must enact the plan, or another plan, by a 2/3 vote of both houses within 30 days after it receives the commission's plan. Within 60 days after the Legislature fails to meet its deadline, the supreme judicial court must adopt a plan.

Vermont: Chief justice appoints the chair; governor appoints one member from each political party that received 25 percent of the vote in the last gubernatorial election; those parties each select one. Secretary of state is secretary of the board but does not vote. No commissioner may be a member or employee of the legislature. By May 15, 2011, the legislature must adopt the plan or a substitute at that biennial session.

Backup Commissions

Connecticut: President pro tem of the Senate, Senate minority leader, speaker of the House, and House minority leader each select two; these eight must select the ninth within 30 days. This commission kicks in after the legislature fails to meet deadline (Sept. 15, 2011) and must produce a plan by Nov. 30, 2011.

Illinois: President of the Senate, Senate minority leader, speaker of the House, and House minority leader each select two, one of whom is a legislator and the other is not. No more than four from the same party. If the commission fails to develop a plan by Aug. 10, 2010, the state Supreme Court selects two persons not of the same political party, one of whom is chosen by lot to be the ninth member. It kicks in on July 10, 2011 if the legislature fails to meet its deadline of June 30.

Mississippi: Chief justice of Supreme Court is chair; attorney general, secretary of state, speaker of the House, president pro tem of the Senate. This commission begins after legislature fails to meet deadline (60 days after end of second regular session following decennial census). It has 180 days after special apportionment session adjourns.

Oklahoma: Attorney general, superintendent of public instruction, and state treasurer commence after legislature fails to meet deadline (90 days after convening first regular session following decennial census). There are no deadlines for this commission.

Texas: Lieutenant governor, speaker of the House, attorney general, comptroller of public accounts, and commissioner of the general land office convene within 90 days after legislature fails to meet deadline (adjournment of the first regular session following decennial census). It must produce a plan 60 days after formation. ❖



Jill Long Thompson, the 2008 Democratic gubernatorial nominee, shown at the West Side Democrat and Civic Club in South Bend on Dyngus Day. (South Bend Tribune photo)

A Dyngus Day glimpse at the 2012 gov field

By BRIAN A. HOWEY

INDIANAPOLIS - While Evansville Mayor Jonathan Weinzapfel occupied the brightest spotlight at South Bend's West Side Democratic & Civic Club on Dyngus Day, the peculiar sideshow came with the 2008 leftovers.

Both '08 nominee Jill Long Thompson and her pri-



Evansville Mayor Weinzapfel at an April 22, 2008 Obama rally for change at Roberts Stadium. (HPI Photo by Brian A. Howey)

mary rival, Indianapolis architect Jim Schellinger, told the South Bend Tribune's Ed Ronco that thev "haven't ruled out" a run in 2012. Thompson ran probably the worst campaign of a major party nominee since Republican Linley Pearson's 1992 illfated challenge to Gov. Evan Bayh. And despite being



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the overwhelming favorite of the Democratic establishment prior to the primary, Schellinger's first campaign wasn't much better.

Thompson disappeared after her ceiling-shattering primary win for almost seven weeks, couldn't pull the labor component of her party together by the Democratic Convention, ran a spate of critically challenged TV ads in August, and then went dark until a couple of weeks before the general election. She was pulverized by Gov. Mitch Daniels 58-40 percent despite the fact that President Obama became the first Democrat to carry the state in 44 years.

If her 2008 campaign isn't enough to dampen a JLT redux, perhaps Democratic Party history will. Incumbent Govs. Bayh and Frank O'Bannon aside, you have to go back to 1948 to find a repeat party nominee: Gov. Henry F. Schricker. This was before the time when governors could run for consecutive terms. Schricker had served a first term beginning in 1941.

Since the mod-

ern era began with Gov. Doc Bowen's two terms beginning in 1972, there hasn't been a repeat Democratic nominee after a first run failure. And this includes some pretty good talent in party legend Larry Conrad (1976), who lost to Bowen 57-43 percent, John Hillenbrand II (1980) and Wayne Townsend (1984).

Of this group, Conrad was in the best position for a second try. His allies seized control of the Democratic Party in 1978 with the election of Don Michael as chairman. While both Conrad and Townsend signaled a run, Conrad had the infrastructure and popularity to repeat as the nominee. His problem was similar to Thompson's; he had no easy access to money to battle the GOP machine. That's why, according to Ball State Prof. Ray Scheele in his book "Larry Conrad of Indiana," Conrad supported the deeppocketed Hillenbrand in 1980. Hillenbrand only defeated Townsend by a 52-48 percent margin in the 1980 primary as labor never bought into Hillenbrand's business class roots, a precursor to his loss to Lt. Gov. Robert Orr that November in the midst of the Reagan landslide.

In Democratic circles, if a candidate can run a good campaign, the second chances for people like Sen. Townsend are there.

Schellinger has better access to funding than

Thompson, but in order for him to be taken seriously, he has to demonstrate a much better campaign organization and communication mode than he did in 2007-08. In Schellinger's case, Sen. Townsend's 1980 and 1984 runs present viable models better positioned than anything Thompson could muster.

At this earliest stage, Weinzapfel appears to have some momentum. That St. Joseph County Democratic Chairman Butch Morgan would limit the West Side mic to only the Evansville mayor is a clear hint that the Democratic establishment is leaning his way. Thompson and Lake County Sheriff Roy Dominguez were denied an opportu-

nity to speak, according to Democratic sources at the event, though the West Side directors want Morgan (as well as his predecessors) to control stage access.

Vanderburgh County Democratic Chairman Mark R.
Owen insisted that Weinzapfel "has made no decisions about his political future" and that he "welcomed the invitation to participate in Dyngus Day activities in South Bend."

Dominguez took his denied access to the mic in stride, but the more he and his

allies pondered the snub, the more speculation grows that the establishment was placing its earliest bets on the twoterm Evansville mayor.

Of course, the field could grow to include former Indianapolis Mayor Bart Peterson and U.S. Rep. Baron Hill, both heavyweights who with the slightest signal would dramatically transform the equation. Hill is speaking to the 3rd CD Democrats this month in Columbia City, and party sources say he is seriously contemplating a return to statewide politics. And there's Lake County Democratic Chairman and Hammond Mayor Thomas McDermott Jr., who, according to Rich James of the Post-Tribune, likes to talk one way here in Indianapolis and another way back home, with diminished credibility.



2010 U.S. Senate

Republican State Sen. Marlin Stutzman confirmed for Howey Politics Indiana that he is seriously weighing a 2010 challenge to U.S. Sen. Evan Bayh. "There's plenty of things to talk about," Stutzman told HPI on Good Friday. "Sen. Bayh has been on the banking committee with Sen. Dodd and Washington has just failed to watch out for Americans out here."



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Stutzman, 32, is in his first term in the Indiana Senate, representing Kosciusko, Noble, Steuben and DeKalb counties, after three terms in the House. He serves on the commerce, pensions & labor, utilities & technology, and natural resources committees. Stutzman is owner of Stutzman Farms Trucking and coowner of Stutzman Farms. He said he would make a decision after the Indiana General Assembly concludes on April 29.

He said he is concerned about the severe decline of the recreational vehicle industry in his district, adding, "There is a lot of concern about energy issues. There's only so much that can happen at the state level. We need more fuel efficient vehicles and that includes RVs." Stutzman said he has talked with former State Rep. Dan Dumezich of Schererville, another potential GOP challenger to Bayh, who will be seeking his third term.

He said he would talk with Dumezich once the session is over, adding, "We'll put our best foot forward." Stutzman noted that he has 7- and 3-year-old sons. "What does the nation look like in 25 years from now?" he asked. "What kind of country will we leave our kids and grandkids?"

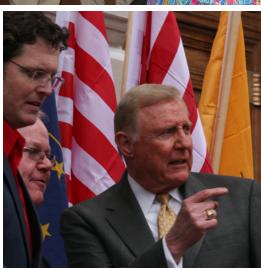
The Democratic blog Blue Indiana characterized a Stutzman candidacy as a "joke." But all you have to do is mine the Bayh family history to find the weakest 1980 candidate for U.S. Sen. Birch Bayh (U.S. Rep. Dan Quayle as opposed to Doc Bowen) who was able

to pull off a stunning upset. Greg Ballard's stunner over Bart Peterson in 2007, Greg Walker over Senate President Bob Garton in 2006 and Brent Waltz's defeat of Senate Finance Chairman Larry Borst in 2004 should supply enough fodder for the notion that no one is utterly safe in Indiana, particularly during this era and in this economy.

2010 5th CD

U.S. Rep. Dan Burton is taking his growing list of challengers seriously. He played a conspicuous role in Wednesday's "tea party" at the Statehouse. He also spent mid-week on a district-wide blitz that included business roundtables in Fishers, Greenfield and Wabash, the tea





State Sen. Marlin Stutzman (top) takes notes while visiting with constituents. U.S. Rep. Dan Burton attends the Statehouse tea party on Wednesday. (HPI Photo by A. Walker Shaw)

parties in Indianapolis and Tipton, and an industrial tour in Shelbyville.

Luke Messer released a list of hosts for his April 30 fundraiser at the home of former Republican Chairman Jim Kittle Jr. and wife Sherry. Included as hosts are Andre Lacy, P.E. MacAllister, Dr. Beurt SerVaas, Jim Bopp Jr., David Brooks, Alex Carroll, Nate Feltman, Lou Gerig, Jennifer Hallowell, Dottie Hancock, Keith and Sue Lochmueller, Lee and Rose McNeely, Mark Shublak, Patrick Tamm, Randy Tobias and Brad Tracy, among others.

2011 Indy Mayor

Advance Indiana's Gary Welsh, an ardent backer of candidate Greg Ballard in 2007, is predicting that he will be a "one-term mayor." On his Advance Indiana blog, Welsh quoted candidate Ballard saying, "The days of country club politics are over in Indianapolis."

That was before Mayor Ballard came up with a cornucopia of alcohol, car rental and, apparently, downtown parking fee increases on Monday to bail out the Capital Improvement Board. Ballard's plan was placed into the bill Senate Appropriations Chairman Luke Kenley had prepared, stripping out a statewide alcohol tax increase that was DOA after

the Easter weekend. Sources told HPI on Wednesday (the same day as the south Statehouse lawn tea party) that House Republicans, fearful of passing any kind of tax hikes, are looking for a short-term CIB patch.

They appear to be taking Welsh's warning to heart: "If Ballard's plan is adopted, it will ensure his status as a one-term mayor," the blogger wrote on Tuesday. "Further, the Republicans will forfeit control of the Indianapolis City-County Council, which they currently only control by a one-seat margin. So much for the accountability in government we were promised by candidate Ballard. Years of deception and deficit spending by the CIB is rewarded with more tax revenue to fuel even more spending." •



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Weinzapfel stars at the West Side Dem Club

By JACK COLWELL

SOUTH BEND - Dyngus Day was a little different Monday in South Bend.

There still was plenty of kielbasa at all the sites where Dyngusing takes place in observance of a tradition that traces roots back to the coming of Christianity to Poland over a thousand years ago.

But at the West Side Democratic & Civic Club, cen-



ter for political activity on the Monday-after-Easter event, there was room to breath. That darn near wasn't the case last year, when the place was packed for the appearance of Bill Clinton, campaigning for his wife in the heated Indiana presidential primary, and an array of other Democrats involved in backing Hillary Clinton or Barack Obama or seeking election themselves for governor, Congress and myriad local offices.

The hall was pretty well filled Mon-

day, but not to the packed-like-sardines (or closer) situation of '08, and applause and cheering for favorite candidates was quite a few decibels lower.

That's because there is no presidential primary this year. No primary at all. This is the one year in four in which there is no May primary in Indiana, no upcoming election this fall.

Nor, of course, were there the rampant rumors of a year ago that Obama would attend to draw throngs perhaps rivaling those for the legendary Dyngus Day appearance of Bobby Kennedy in 1968.

Obama really is coming, now as president.

Not, however, until May 17, to deliver the commencement address at the University of Notre Dame, where he will be greeted enthusiastically by the graduates, but not by Bishop John D'Arcy, who has a conflict, or by serial law-breaker Randall Terry, who is in South Bend to organize disruptive protests.

Obama's victory last fall, mentioned frequently by speakers at the Democratic Club, drew some of the loudest applause, especially when Congressman Joe Donnelly, D-Granger, noted that Obama upset conventional political wisdom by carrying Indiana, the first time a Democratic presidential nominee had done so since 1964.

Rev. Leonard Chrobot, South Bend Catholic parish pastor who is the Democratic club chaplain, showed a different political inclination than Bishop D'Arcy, who has won

Republican acclaim and Democratic disdain, for singling out differences on abortion policy in denouncing Democrats such as Obama and former Gov. Joe Kernan. In his traditional Dyngus Day blessing, Father Chrobot noted that the crowd was smaller than in the '08 presidential year, and said:

"That's OK. A Democrat was elected to the presidency of the United States."

The priest cited "family values" actually practiced rather than just talked about by Polish-American Catholics.

Testing the political waters as well as the kielbasa were two possible candidates for the 2012 Democratic nomination for governor Evansville Mayor Jonathan Weinzapfel and Lake County Sheriff Roy Dominguez. Both said they were interested in getting known for a possible future statewide election but stressed that it was far too early for any decision to run.

Weinzapfel was called on to speak by St. Joseph County Democratic Chairman Owen "Butch" Morgan, who serves as master of ceremonies at the Dyngus event. Dominguez, though introduced in the crowd, was not offered time to speak. Morgan said Dominguez is out of favor with the state Democratic organization after past primary election and organization leadership contest differences.

In departure from usual Democratic club procedure of welcoming Republicans in "the spirit of Dyngus" but not introducing GOP candidates or elected officials, state Democratic Chairman Dan Parker noted the presence of Indiana Attorney General Greg Zoeller and praised him as the only Republican state elected officials who came to Elkhart County for the president's appearance there to promise help for the high-unemployment area and seek support for the stimulus package.

Although Indiana Superintendent of Public Instruction Tony Bennett was not at the Democratic cClub event, he later discussed Obama administration education policies, with praise for Obama and criticism of Democrats in the Indiana House.

"I wish the House Democrats understood what the president is saying as clearly as we do," Bennett said. While the president wants more stress on quality education, Bennett said, House Democrats have supported waivers to reduce the 180 days of instruction called for in Indiana.

Dyngus Day has been described as a Polish version of St. Patrick's Day. Both days have roots in religion from centuries past in lands from which came the ancestors of many Americans.

Even with the political flavor, the friendly spirit of Dyngus prevails among those of different cultures, of different races, of different religions, of different political views. Everybody shows respect for the diversity and seeks understanding. Well, not quite everybody. .

Colwell has covered Indiana politics over five decades for the South Bend Tribune.



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Doug Ross, Times of Northwest Indiana: What the Porter County Council did on Wednesday in withdrawing from the RDA was a knee-jerk reaction, give or take a knee. They also, with their "so sue me" attitude, essentially put a "kick me" sign on the county's back. Sorry for the metaphor marathon, but these zingers are all so appropriate to describe what the council did at Wednesday's meeting. The council voted, 4-3, to withdraw from the Northwest Indiana Regional Development Authority and to rescind its appointment of Gus Olympidis to the RDA. Then it voted, 4-3 again, to stop sending its \$3.5 million annual payment to the RDA but to leave the requisite tax in place. I watched the drama unfold Wednesday from the back Indiana of the room. I couldn't escape the irony of the whole situation. Porter County prides itself on its quality of life and fiscal prudence, compared to Lake County. May I remind the county officials that Porter County failed to send out property tax bills in 2008? Or that the county already has received more in RDA spending than it has paid in? Or that of the initial 0.25 percent county economic development income tax, all bets are now off? [private]

Raymond Dix Jr., Post-Tribune: I can no longer avoid the question that confronts me every time I read an article on our new president's latest budget plans. I need to know, "Does President Obama hate rich folks?" Now I know "hate" is a strong term, yet when I examine his efforts to "act in the best interests" of Americans, he notably singles out rich people as the financiers for this effort. My brother recently said he's disappointed the stimulus package did not include any funds for homeowners like him who need low-interest loans to invest in the improvement of their property. Instead, the package seems to reward those who bought more than they could afford and now must receive a "bailout" paid for by the so-called rich. As my brother lamented I said to him, "While you will not get any stimulus money, it could be worse; they could have sent you the bill." We laughed, but I thought within myself that somebody who worked, perhaps, equally to or even harder than my brother to gain wealth would get the bill for this bailout. If we keep billing those who invest in the creation of wealth and jobs in this country, soon they would stop investing. Has anyone seen the Dow average lately? Some say, "Hey the rich can pay; they have more disposable income." Never mind that it is incredibly immoral to take a person's money simply because he has a lot of it. I am not sure if I want to win the lottery now.

Leslie Stedman Weidenbener, Louisville Courier-Journal: Friday could be the scariest day of the 2009 legislative session. It's when the State Budget Com-

mittee -- a group made of up of four lawmakers and the state budget director -- hears a forecast of tax receipts through June 30, 2011, a report that will serve as the base for all spending decisions legislators make in the final days of the session. The numbers in that forecast likely will determine whether public schools receive any new state money over the next two years or whether their funding goes unchanged or perhaps is even cut. It could decide whether services like the CHOICE home health care program for older Hoosiers is fully funded and whether college students

will have more aid available. Funding for prisons, for land conservation and for universities hangs on the results of this fiscal forecast. And the news is not expected to be good. In December the bipartisan forecasting committee, which evaluates national and local economic information and makes predictions about what it will mean for Indiana taxes, signifi-

cantly lowered the revenue estimates the current budget is based on, forcing Gov. Mitch Daniels to make substantial spending cuts. But that forecast did predict some economic recovery late this year, giving lawmakers hope that they could weather the recession without too much harm to the budget. The only thing that will likely save lawmakers from approving massive cuts for schools and universities is federal stimulus money that Congress approved this year. Republicans have built nearly \$2 billion in stimulus revenue into their proposed state budget, a move Democrats applaud. The question now is whether that will be the only new money the state has available to spend and, if so, whether it will be enough to prevent major budget cuts. We'll know more Friday.

Gary Gerard, Warsaw Times-Union: Presented for your consideration, a couple of political foibles. You probably heard all the outrage leveled at American International Group, the too-big-to-fail insurance giant that the government has spent \$182.5 billion tax dollars on so far in its bailout tomfoolery. AIG paid out some \$165 million in bonuses after taking all that tax money. Damn them. President Barack Obama called it "stunning" and an "outrage." Really? Well the truth of the matter is that Sen. Christopher Dodd, D-Conn., chairman of the Senate Banking, Housing and Urban Affairs Committee, stuffed the language in the TARP bill that allowed payout of the bonuses. Why would he do that, one might ask? Well, according to Dodd himself, in an e-mail he sent to Bloomberg news, it was because Obama told him to. Bloomberg: "Dodd acknowledged ... that he 'weakened a provision dealing with executive pay in ... stimulus legislation at the request of the Obama administration.' The provision inserted in the bill instead expressly allowed companies that received taxpayer bailout money to pay retention bonuses that were part of employment contracts signed before Feb. 11, 2009." Nice. ❖



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Texas governor suggests state can seceded

AUSTIN, Tex. - Texas Gov. Rick Perry fired up an anti-tax "tea party" Wednesday with his stance against the

against the federal government and for states' rights as some in his U.S. flag-waving audience shouted,



"Secede!" An animated Perry told the crowd at Austin City Hall — one of three tea parties he was attending across the state — that officials in Washington have abandoned the country's founding principles of limited government (CNN). Answering news reporters' questions, Perry suggested Texans might at some point get so fed up they would want to secede from the union, though he said he sees no reason why Texas should do that. "There's a lot of different scenarios," Perry said. "We've got a great union. There's absolutely no reason to dissolve it. But if Washington continues to thumb their nose at the American people, you know, who knows what might come out of that. But Texas is a very unique place, and we're a pretty independent lot to boot." He said when Texas entered the union in 1845 it was with the understanding it could pull out.

Bauer kills tax caps

INDIANAPOLIS - Indiana
House Republicans left the Statehouse
late Wednesday night, fuming over
what they said was a lost opportunity
to vote on an amendment that would
place the state's property-tax caps
into the state constitution (Rutthart,
Indianapolis Star). Midnight was the
deadline for the House to vote on the
legislation this session, which already
passed the Indiana Senate. House
Republicans pushed for Speaker B.

Patrick Bauer, D-South Bend, to hold a vote on the legislation, but he refused. "Those who are in the minority cannot expect to move the agenda forward," said House Minority Leader Brian Bosma, R-Indianapolis. "But to have one or two leaders in this chamber stop what 75 percent of Hoosiers want to have happen this session — the passage of permanent constitutional property tax caps — is really arrogance beyond what I've seen during my term here."

Daniels pleased by tax rally at Statehouse

INĎIANAPOLIS - Gov. Mitch Daniels is pleased to see the protesters (Ulery, **WIBC**). "It's very refreshing," Daniels told WIBC talk show host Greg Garrison. Governor Daniels says it is a rare occasion when citizens come down and speak for the public interest in less spending and taxes. Daniels told Garrison he would like to see the protests more often.

Pence attends tax rally in Columbus

COLUMBUS - They spoke out on stage, talked back from the crowd and carried signs to the facility (Columbus Republic). Some read: "Taxed Enough Already." "No taxpayer money for abortion." "We are over stimulated." Travis Hankins, who plans to run in the 2010 election on the Republican ticket for Indiana's 9th District seat in the U.S. House of Representatives, said many politicians care more about their careers than they care about the American people. He suggested the government focus on cutting federal spending to 2002 levels, eliminate the income tax and abolish the Internal Revenue Service and elect statesmen who believe in term limits. U.S. Rep. Mike Pence, RInd., said he was encouraged to see so many participate in the rally. Pence told the crowd that a lot of people are writing the obituary of conservative values claiming America is moving in a different direction. The turnout Wednesday proved opposite, the congressman said. "I believe we're on the verge of the great American awakening," he said.

Ellsworth calls Emanuel over spending

EVANSVILLE - U.S. Rep. Brad Ellsworth, D-Ind., said in Evansville Wednesday he called White House Chief of Staff Rahm Emanuel recently to urge a more forceful display of federal spending cuts (**Evansville Courier & Press**). "I called (Emanuel) a week and a half ago, and said, "We need to start showing the American people where we're cutting federal spending," Ellsworth told reporters outside the YWCA.

Ellsworth wants compromise on choice

EVANSVILLE - With labor supporters rallying for the Employee Free Choice Act in Downtown Evansville on Wednesday, Rep. Brad Ellsworth, D-Ind., called for compromise (Evansville Courier & Press). But a key Washington, D.C.-based lobbyist against the proposal, also known as "card check," said the kind of compromise Ellsworth said he wants is impossible and is probably an attempt to avoid angering either side of the controversial issue. Ellsworth supported the Employee Free Choice Act in 2007 after the Bush administration said the bill would be vetoed if it passed. "I'd love to work on finding middle ground," he said.

Long fears DC takeover of jobs trust

INDIANAPOLIS - Senate
President Pro Tem David Long says a
deal on fixing the bankrupt unemployment trust fund is critical to avoid a
federal takeover of the fund (Berman,



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WIBC). The Fort Wayne Republican says negotiators have been "working quietly" toward a compromise, and says he's optimistic about an agreement with the House by the April 29 deadline. He says both parties recognize the tax hikes or benefit cuts needed to stabilize the program will only get steeper if there's no deal this vear, and warns a stalemate could take the decision out of the state's hands. "That would be a disaster." Long contends. "I think it would raise rates incredibly at an unsustainable level for employers. We'd have a Washington-style fix, (with)tax increases dictated by a very liberal government."

Revised abortion bill passes House 73-20

INDIANAPOLIS - There were harsh words and even a few tears during debate on a measure originally aimed at abortion doctors that passed the Indiana House 73-20 late Wednesday night (Kelly, Fort Wayne Journal Gazette). Senate Bill 89 would require all health care providers performing surgical procedures in Indiana to have admitting privileges at a nearby hospital. And women seeking abortions would be told that a fetus might feel pain during the procedure. "What this bill is about is patient safety," said Rep. Matt Bell, R-Avilla.

Gary riverboat move on the table

GARY - Gary's two casino licenses are back in play in the Statehouse, with legislators trying to broker a late session deal that could culminate with the creation of a land-based casino near the Borman Expressway or a riverboat in the Little Calumet River (Byrne, **Post-Tribune**). The deal could also transfer a gaming license to another part of the state. Several lawmakers confirmed Wednesday that behind-the-scenes talks focused

on Gary's Don Barden-owned Majestic Star casino boats are heating up with two weeks left in the legislative session. Senate President Pro Tem David Long, R-Fort Wayne, said there is broad support in the General Assembly for allowing Gary to move one of its licenses within the city.

Teen cell phone bill passes House 93-6

INDIANAPOLIS - A bill that bans drivers younger than 18 from talking on their cell phones or texting with wireless devices is a step closer to becoming law (**Louisville Courier-Journal**). The House approved House Bill 16 on a 93-6 vote yesterday.

Regional transit bill passes Senate 43-7

INDIANAPOLIS - The northern Indiana regional transportation district took an important step toward becoming law Wednesday, but the multicounty authority still has a long way to go before it reaches the governor's desk (**Post-Tribune**). The Senate adopted the package by a 43-7 vote Wednesday afternoon, with all Northwest Indiana's senators voting in favor of it. The proposal includes a county-by-county referendum, to be held in May 2010 in Lake, Porter, LaPorte and St. Joseph counties.

Bennett promises swift, bold action

INDIANAPOLIS - Indiana Superintendent of Public Instruction Tony Bennett pledged yesterday to take swifter and bolder action against schools that repeatedly fail to meet standards under the federal No Child Left Behind law (Weidenbener, Louisville Courier-Journal). But Bennett, elected in November, would not give a timeline for action or say how far the state would go to force some schools to reorganize and improve. "The results in

front of you are not good enough," Bennett said as the state Department of Education released the latest lists of schools and school districts that didn't make "adequate yearly progress" under federal standards. "We must get better."

Jobless fund could see 38% hike

INDIANAPOLIS - The federal unemployment tax rate Indiana employers pay might rise 38 percent next year if the state hasn't repaid all of the hundreds of millions of dollars in loans it needs to keep paying jobless benefits, a top official said yesterday (Associated Press). Chief Financial Officer Scott Sanders of the Department of Workforce Development told the Unemployment Insurance Board that if the state hasn't repaid its loans in full by Nov. 10, 2010, Indiana employers could pay about \$59 million in additional unemployment taxes to the federal government. They're already expected to pay an estimated \$214.5 million. As of Monday, Indiana had borrowed \$725.1 million from the federal government to keep paying jobless benefits, and more borrowing is expected as the state copes with a jobless rate that reached 9.4 percent, seasonally adjusted, in February. Only four states, including Michigan and Ohio, have borrowed larger amounts.

Sachem award to Danny Danielson

ÍNDIANAPOLIS - Gov.
Daniels has presented the Sachem (SAY-chum) award, Indiana's highest honor, to former Indiana University board of trustees president Danny Danielson (**WIBC**). The 89-year-old Danielson has left a large mark on the state, the university, and his adopted hometown of New Castle.

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