



Daniels prepares Battle for the House

‘Third campaign’ will bring Gov back out on the stump

By **BRIAN A. HOWEY,**

INDIANAPOLIS - The next six months essentially will be Gov. Mitch Daniels’ third statewide campaign. He’s not on the ballot. RV1 rolling through the prairies and hills isn’t a sure thing. And he insists that his own legacy and potential national prospects are not on the line. He is hardly a “lameduck.”

Daniels is engaged and strategizing about retaking the Indiana House. It was a luxury he had during the first two years of his gubernatorial tenure and he has Major Moves, the inspector general, a balanced budget, a successful tax amnesty program and telecommunications reform to show for it. Ultimately the history of this governorship and the education and local government reform pillars that will be the thrust of the legacy he doesn’t dwell on rests with a Republican House for the final two years of



Gov. Mitch Daniels talked to Howey Politics Indiana in his Statehouse office on Thursday. He plans to aggressively work for Republican House candidates. (HPI Photo by Brian A. Howey)

his second term.

Last Thursday, the governor was dressed in denim for one of the handful of days he rides his Harley-Davidson to the Statehouse. He learned that the Portage School

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Kagan an Obama stamp?

By **DAVID McINTOSH**

WASHINGTON - President Obama had an opportunity to fulfill his lofty rhetoric and nominate an individual to the Supreme Court who would interpret the law as written and not have a social agenda on the bench. Instead, as he has frequently done, what President Obama says and what President Obama does are two vastly different things.



Elena Kagan is not the comfortable, seamless nominee that the media has portrayed her to be. Kagan’s public comments and actions are highly



“This is going to be a competitive race down the wire”

- U.S. Sen. Evan Bayh, on the Indiana Senate race, to MSNBC’s Morning Joe



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divisive and her inexperience begs the question: what are President Obama's motivations for nominating an individual not from a federal bench but from within his own administration?

While Dean of Harvard

Law School, Kagan made a crusade of attempting to ban military recruiters from campus due to the "Don't Ask Don't Tell" policy. She called the policy "a moral outrage of the highest order." In a time of war, Kagan placed a higher premium on political correctness than ensuring the strength of our military. She joined a legal challenge to the Solomon Amendment, which strips colleges and universities of funding if they refuse to allow military recruiters on campus.

Kagan and company lost that challenge in a unanimous vote before the Supreme Court. Her views were, and still are, clearly at odds with all the Justices on showing more loyalty to social movements and the empathy standard than allowing our military to recruit the best and brightest. Had she been on the Court at that time, she would have deviated from all the Justices in ruling the Solomon Amend-

ment unconstitutional. This preference should be alarming in that it demonstrates how her political and social agenda overshadows her interpretation of the law.

Initially, President Obama touted the "empathy standard," where judges should base their decisions not on the facts of a case and the literal law, but on engineering cases to advance those members of society who have been historically underrepresented. Now, he has argued that a judge should adhere to the will of the Congress and the American people.

President Obama's motivation in nominating a member of his own administration with no bench experience only reinforces the fear that she will be a political force for Obama and liberal activism on the Court. Ms. Kagan has practiced law for only a few short years, and has served as Solicitor General for just over a year. She has no real relevant litigation experience and absolutely no time or track record as having to decide cases on the bench.

Many comparisons have been made to former Chief Justice Rhen-



quist as having no judicial experience prior to his nomination. Chief Justice Rhenquist, however, had more than 15 years of litigation experience. Ms. Kagan may turn out to be a great Justice like Chief Justice Rhenquist was, showing deference to the Constitution and the text of the law rather than a social or political agenda. Or, she could turn out to be President Obama's surrogate on the Supreme Court, advancing the radically liberal will of the administration on health care, cap and trade, immigration, etc.

Kagan may have remarkable academic pedigree, but no amount of education can replace real-world experience in a federal or state court. But this conspicuous absence of experience is minor compared to the possibilities of show she will rule as a Justice. It is clear that President Obama views the Constitution as an inconvenient document to his goals of government takeovers of private industries, bailouts and government ownership of private companies, and as President Obama himself has said "spread the wealth around."

In Elena Kagan, President Obama has found a like-minded activist. When the entire Supreme Court rejects Ms. Kagan's arguments challenging the Solomon Amendment there is great cause for concern. Take for example the Citizens United case, in which the Supreme Court decided that the First Amendment applies equally to everyone. President Obama was so vitriolic in his opposition to the decision he scolded the Supreme Court during his State of the Union

address. Obama has selected a nominee who shares his opinions that wealth needs to be widely reallocated, that the First Amendment applies to some more than others, and that his overreaching into private industry is not a clear violation of Constitutional restrictions on government.

The American people have been vocal in their opposition to a new form of jurisprudence that favors certain demographic groups over others. The people have spoken in their opposition to justice that is not blind. The people have spoken in their opposition to the Obama Administration violating the limits of Constitutional power and President Obama's embrace of activist judges on the bench. Where is Ms. Kagan's allegiance: to President Obama's policies or to the text of the law and the Constitution?

Ms. Kagan has no judicial record, but if she acts as a judge as she has acted as an advocate, she will turn the Supreme Court into a vehicle for social engineering and a mechanism to invent rights that aren't in the Constitution just to satisfy her liberal ideology. President Obama could have nominated an individual with an established judicial record, instead he chose to nominate an individual who he expects to transform the Court into an institution to back any and all Obama policies. ❖

David McIntosh is a former Congressman from Indiana, a co-founder of the Federalist Society and frequent Howey Politics Indiana columnist.

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Corporation had just joined the state health insurance plan, which he said will save the district \$2 million a year "and 30 to 40 teachers." The day before, the State Board of Education signed off on the controversial A through F grading system for schools. Two days before, he watched with fascination the "Tea Party" primary that found an unprecedented number of Republicans seeking Indiana House and Congressional seats. Two GOP incumbents - State Reps. Bill Ruppel and Jacque Clements - lost.

"Some of that was borne out," he said of the Tea Party movement. "There were 65,000 to 70,000 voting in the 9th District primary with a fascinating outcome; 100,000 in the 5th District Republican primary. I think you did see a reflection of some of this energy. I certainly saw it as I cruised around. I got in the habit of saying, 'Anybody attending a dinner like this for the first time, stand up.' There would always be a crowd. There is an appetite for new faces, no question. You get an incumbent congressman who can't get 30 percent. Some of the other incumbents didn't have particularly good numbers on both sides. The new face vote divided up 60 percent of the Senate

primary. So I think the folks that sensed that something like that was going on were accurate."

The 2010 Indiana House class of Republican candidates is "crucial to Indiana's success," Daniels said, insisting, "I don't think in terms of legacies."

"If we are going to avoid tax increases and very severe service cuts, we're simply going to have to have new leadership in the House," Daniels said. "Improving education in the state and reforming it, making headway in local government reform, these are things I think Indiana's future requires."

Surveying the Battle for the House, HPI will be watching closely 26 House seats in our initial Horse Race heading into the fall (see pages 6-8), which is more than usual. Of this group, 18 seats are held by Democrat incumbents, three are open Democratic seats, seven are occupied by freshmen, and six Democratic leaders - Russ Stilwell (floor leader), Dale Grubb (caucus chair), Bob Bischoff (speaker emeritus), Paul Robertson (whip), Nancy Dembowski (assistant caucus chair), and Nancy Michael (assistant whip) - are on the target list, though HRCC's Mike Gentry says not by design.

And the governor, who orchestrated his two wins by doing everything from writing his own speeches (he was



writing the Franklin College commencement address for this Saturday before this interview) and TV ads to laying out the strategic and tactical elements of the campaign, had a role in recruiting the field. Three - Cheryl Musgrave in HD77, Kevin Mahan in HD31 and Kyle Hupfer in HD37 - were once members of his administration.

"You're going to see more competition for the House," Daniels said. "Part of it may be brand new people trying to do something. We've gone out and really recruited and solicited people. We had an event last week that brought 21 candidates - most of them running for the first time, people with all descriptions. It was pretty inspiring. We're going to be competing as hard as we can with the best, most attractive candidates that I've seen for that office ever."

Did he pick up the phone and call the challengers? Or pull them aside at Lincoln Day Dinners and other stops?

"Absolutely," Daniels said. "Some of them I knew. We just put out an APB and asked a lot of people. We always said, 'Get outside of the usual categories. Don't tell us about whose turn it is, don't tell us about who's in some lower office now. Who in this area do people really look up to? Who are the bright up-and-comers?' A lot of names came up that way. A very high percentage of people we recruited don't hold office now and never have. But I've become quite excited. Maybe paternalistic isn't the right word. But I do feel the responsibility to help them."

In 2008, while seeking a second term, Daniels took a limited role in House races only to see the Democrats forge a 52-48 advantage, assuring four years of House Speaker B. Patrick Bauer playing the Joe Frazier role to the Governor's Ali. He did a TV ad against State Rep. Scott Reske in HD37, though it wasn't enough to defeat the Democrat.

There is no question that Gov. Daniels is not only the best political strategist in the state, but he has the biggest pulpit to deliver the message. "We'll look to see what fits the situation," Daniels explained, "What fits the candidate. What fits the district. If my being directly involved with them gives them an advantage, I'll do that. If my being supportive at a distance is better, I'll do that. But I am certainly going to apply myself to frame the next agenda and what we could do if we have the opportunity. Hopefully each of them will be able to associate themselves with positive goals. It's what we're for, not what we're

against. We'll try to paint a picture for people of how we can move forward in this state. I will tell you the candidates we've recruited are that kind of people. They don't want to play defense. They want to come here and build a better Indiana."

Daniels characterized House Democrats as out of step with "their own president" on the Obama-Duncan education reforms. The initial thrust of the education reforms he's pushed through with Supt. Tony Bennett came administratively, through the Indiana Board of Education and the Indiana Professional Licensing Board. The legisla-



ture was avoided, "because there's no point. The Democratic House - it's just a statement of fact, not personally - they are against any change in the status quo except they want more money."

The classic case came in February 2009 when House Government Regulatory Reform Chairman John Bartlett killed the Kernan-Shepard reforms that had passed the Senate. After that, the Daniels administration didn't even try to press for that set of reforms in the 2010 short session. "I've said to our folks for six years, when it comes to long shots and things that are difficult to accomplish, we'll take a 30 percent, 25 percent, 20 percent chance," Daniels explained. "We don't do zero. If there's absolutely no chance, we don't give a good speech and play to the gallery. We don't do that."

Daniels acknowledged that a Republican House will not be a rubber stamp, as Bauer has warned his party. Freshman State Rep. Mark Messmer is a case in point. Pushed by the administration and the Indiana Chamber, Messmer quickly lined up against the Kernan-Shepard reforms during his freshman term. "It won't be 100 percent with a change of leadership," the governor acknowledged. "At least we'll get a fair hearing."



There has been rampant speculation that Daniels will aggressively pursue a Republican House majority, then push through a compelling reform agenda during the 2011 budget long session, positioning himself for a potential 2012 presidential run. In Chicago last week, Daniels was asked about a presidential bid from an audience member at an appearance. The Times of Northwest Indiana reported Daniels saying, "Honestly I'm not planning to run and I don't expect to run. I am concerned as many people are about the direction of the country and I would like to have a little input into that. But there are other ways to do that."

A more likely scenario is the push for reform in 2011, which will coincide with a harrowing budget-making process coming either at the end of the Great Recession of 2009-10 or in the middle of a "W" economic downturn possibly doubling back as part of the Greek meltdown, followed by a potential vice presidential nomination. Daniels will almost certainly be on just about every veepstakes short list. But even that speculation is fraught with many twists (for instance, it would be hard to see Daniels joining a ticket headed by former Alaska Gov. Sara Palin).

Asked about his 2011 legislative agenda, Daniels responded, "You know what some of our main themes are. We want to pay the best teachers more. We want to differentiate pay more. We want to pay the physics teacher more than the physical education teacher, with all respect. But it's more important. It's hard to find a good physics teacher and probably more crucial long term. We'd like to be able to pay more to teachers who go on to take the tougher assignment. We'd like to protect the best teachers, as opposed to those who served the longest. We want to open the teaching profession up, maybe to people who come in mid-career. We want to get them in the classroom faster, subject to subject matter. All these sorts of these things we'll be advancing on multiple fronts."

Daniels lauded the A through F school grading system as a "good example" of the reforms he is pursuing. "Reforms that can be done administratively we'll go ahead and do them. There are others that will require the legislature. Our dollars to the classroom record is still very poor; one of the worst in America. So we have the third highest per pupil spending - and I'm proud of that, by the way. We're funding schools as generously as anybody. The problem is that 39 cents gets stuck on the way to the classroom. Part of that relates to the structure of units of local government and subunits or it's just the way we've done

business."

Daniels also mentioned Kernan-Shepard as a priority. "That's a little more complicated," he explained. "A lot of government reform is simply a non-starter in today's House. It's not complicated. It either won't happen at all or it has to be bipartisan. Republicans? I work on them but we've got some folks who are wedded to the status quo there. But there are also some very progressive Democrats who have helped." It's interesting that on the GOP target list, the three freshman Marion County Democrats who have pushed government reform and caught hell for it within the Democratic caucus - John Barnes, Ed DeLaney and Mary Ann Sullivan - are in the crosshairs.

The governor finds a tailwind blowing when it comes to the House. Gov. Daniels' Aiming Higher PAC has



Gov. Daniels' first "Aiming Higher" campaign in 2004 brought along a Republican Indiana House. His Aiming Higher PAC intends for a reprise this November. (HPI Photo by Brian A. Howey)

raised more than \$800,000 with much more on the way. It is unclear whether any of U.S. Sen. Evan Bayh's \$12 million warchest will go to House Democrats like the \$1 million he gave to U.S. Rep. Brad Ellsworth's Senate campaign.

A May 5-6 Rasmussen Reports Poll in Indiana released on Friday revealed that Daniels' approve/disapproval rating stood at 60/38 percent, compared to 43/56 percent for President Obama. Some 59 percent of Hoosiers favor repealing the Affordable Health Care reforms and 48 percent strongly favor repeal. Sen. Bayh, who has always had long coattails for Indiana House Democrats, won't be on the ballot and Ellsworth trails Republican Senate nominee Dan Coats 51-36 percent.

Throw in the ruling party millstone during a first presidential mid-term and at this early date, it would be easy to project a three- to six-seat pick up for House Republicans. It is much too early to project an ironclad House pickup, but with a motivated governor, a talented recruiting class for the GOP and the general environment, it would be safe to say that if the Republicans don't retake the House, that would be a huge upset.❖



26 Indiana House seats make Horse Race cut

By **BRIAN A. HOWEY**

FRANKLIN - Howey Politics Indiana will be tracking an initial 26 House races heading into the mid-term elections. The seats include 18 held by Democrats, three open seats now in the Democratic column, and seven seats held by Republicans, including two freshmen and one open seat.

If the election were held today, HPI forecasts at least a three-seat pick up for Republicans - HD30 occupied by State Rep. Ron Herrell, HD44 occupied by State Rep.

Nancy Michael, and HD46 the open seat of State Rep. Vern Tincher.

Another seven Democratic seats and two held by Republicans are rated tossups.

Potentially - and this is extremely speculative - if the Republicans were to run the table, they could pick up as many as 10 seats in a tsunami worst case scenario for Democrats.

Indiana Democratic Chairman Dan Parker told HPI on Wednesday that an improved economy could change the dynamic of the House races between now and November. "We haven't run a single ad," Parker said.

Republican targeted seats:

HD17: Republican Frances Ellert of Culver defeated Mike Yankauskas 2,882 to 2,245 in the Republican primary and will take on State Rep. Nancy Dembowski, the former mayor of Knox and state senator who defeated State Rep. Steve Heim in 2006, 9,780 to 8,938. In 2008, Dembowski defeated Mark MacKillop by about 4,000 votes in an untargeted race. Even in her Senate loss, she carried the HD17 portion of her district. Ellert owns a Coca-Cola bottling franchise in Plymouth and Kokomo and was recruited by the Indiana Chamber as well as HRCC. **Horse Race Status:** Tossup

HD19: HRCC recruited former Crown Point Mayor Dan Klein to run against freshman State Rep. Shelli Vandensburgh, who defeated Bill Johnson 15,505 to 12,256 in 2008. The seat has been in the Democratic column for the entire decade with Vandensburgh and Bob Kuzman, who resigned before the 2008 election. HRCC invested in Klein during his primary race earlier this month. The district ran 55 percent Republican in the 2002 clerk of courts race. As a former mayor, Klein brings in name ID in the state's

most expensive TV market. He also brings the baggage that prompted his defeat in 2007. **Horse Race Status:** Leans Vandensburgh

HD30: Kokomo Council President Mike Karickhoff is aiming at State Rep. Ron Herrell and this seat is a likely pickoff for Republicans. Herrell is a lackluster campaigner and fundraiser, with most of his support coming through House Democrats, and he lost a mid-term election in 2002. He also has been at odds with Kokomo Democrats such as Mayor Greg Goodnight. Republicans already have used billboards to tie Herrell to House Speaker B. Patrick Bauer. Recently, Herrell was accused by Howard County Republican Chairman Craig Dunn of not reporting income from a race horse he owns. Democrats will seek to tie Karickhoff to Treasurer Richard Mourdock, who tried to stop the Chrysler-Fiat merger. We see this seat as one likely to flip from the Democrats to the Republicans. **Horse Race Status:** Leans Karickhoff/R Pickup

HD31: You've heard of the Bloody 8th in Congress? Welcome to the Bloody 31st in the Indiana General Assembly. This seat has been in the HPI "Tossup" zone more than most others in the past several election cycles. Republican Kevin Mahan was a one-term Blackford sheriff until Daniels recruited him for his administration and now to take on State Rep. Joe Pearson, who defeated State Rep. Tim Harris by a little less than 500 votes in 2008. In 2006, Harris defeated Democrat Larry Hile by 19 votes. "This will be a Blackford County versus Blackford County race," Mahan says about a district that has had razor thin margins over the past three cycles. Mahan was chief deputy for two terms before serving as sheriff. He was vice president of the Indiana Sheriffs' Association and founded Project Lifesavers, which electronically monitors Alzheimers and autism patients. Pearson is no slouch, however. He narrowly lost to Secretary of State Todd Rokita in 2006, 835,915 to 746,460. **Horse Race Status:** Tossup

HD36: Republican Kim Builta owns Rowland Title in Anderson and will challenge Rep. Terri Austin, who has battled with the Daniels administration over highway funding and the Major Moves Trust Fund. Indiana Republicans have assigned a field manager for this race. Austin easily defeated Francie Metzger by 4,400 votes in 2006 and Republican Frank Burrows by 5,000 vote in 2008. This will be her toughest race. Watch for Democrats to go to great lengths to protect Austin. **Horse Race Status:** Leans Austin.

HD37: Former DNR Commissioner Kyle Hupfer is raising big bucks in an effort to unseat State Rep. Scott Reske, who appeared vulnerable after nosing out Republican Kelly Gaskill by 13,846 to 12,066 in 2008. Gov. Daniels appeared in a late TV ad on behalf of Gaskill in 2008. Republicans believe this is a prime pickup seat. HRCC has





a field manager in this race. Democrats will portray Hupfer as a carpetbagger. "Hupfer will be the issue," Parker said.

Horse Race Status: Tossup

HD42: Attica Clerk-Treasurer Sharon Negele is challenging State Rep. Dale Grubb, who ran unopposed in 2008 and won by 8,000 votes in 2006. Negele. **Horse Race Status:** Likely Grubb

HD 44: Putnam County Commissioner Jim Baird will challenge freshman State Rep. Nancy Michael, the three-term former mayor of Greencastle. HRCC sees this as perhaps their most likely pickup. Michael upset State Rep. Amos Thomas 12,451 to 11,295 in 2008. His family owns Baird Family Farms and is greatly involved with Indiana Home Care Plus. There is an active Tea Party component that has embraced the Baird candidacy. Chairman Parker calls Michael "the best campaigner" with bipartisan appeal. **Horse Race Status:** Leans Baird/R Pickup

HD46: This is the open seat of State Rep. Vern Tincher, who defeated businessman and former ISU basketball star Bob Heaton, 12,488 to 12,076 in 2008. Longtime Linton Township Trustee Bionca Gambill defeated two other candidates in the Democratic primary to win the nomination on May 4. This is another district with an active Tea Party cell in the Greene and Owen county portions that backed 8th CD candidate Kristi Risk. Parker promises "this will be a battle." **Horse Race Status:** Leans Heaton/R Pickup

HD62: State Rep. Sandra Blanton is facing a challenge from Matt Ubelhoer. Blanton's Republican opponent in the fall election. Ubelhor, of rural Bloomfield, is a coal company executive who hails from Perry County. "In national politics and state politics, we need decisive leadership. I think I've got that skill as well as anybody out there that can represent our district," Ubelhor told the Greene County Daily World. He's been in the mining business since he was 18 and worked up the ranks and is now an operations manager. "I helped build Black Beauty Coal Company. I took it from zero employees to 2,000 employees before it was bought by Peabody Coal Company. I know what job creation is all about." The district is trending Republican. **Horse Race Status:** Leans Blanton

HD66: Seymour businessman and Tea Party activist Jim Lucas is challenging State Rep. Terry Goodin. The Republicans have a field manager in the district, which Gov. Daniels carried with 57 percent of the vote in 2008. We view this as an outlier race, which means if it's in play in October it will mean a Republican wave is developing. **Horse Race Status:** Likely Goodin

HD68: State Rep. Bob Bischoff will try to fend off another challenge from attorney Jud McMillin, who lost in 2008 by just under 500 votes. McMillin won the 2008 nomi-

nation by caucus. "He never stopped running," said HRCC's Mike Gentry. Parker said that Bischoff had a "wake up call" in 2008 and will be ready. **Horse Race Status:** Tossup

HD70: HRCC backed former teacher and Harrison County Councilwoman Rhonda Rhoads in the primary and she now faces Democratic Whip Paul Robertson. "Paul is vulnerable," said Gentry of the HRCC. "The district is trending more Republican than any other in the state." The GOP has assigned a field manager to the district. **Horse Race Status:** Leans Robertson

HD73: This is the open seat of State Rep. Dennie Oxley. Salem pharmacist Steve Davisson will face Democrat prosecutor Ryan Bower. **Horse Race Status:** Likely Bower

HD74: Susan Ellspermann is challenging House Majority Leader Russ Stilwell. Ellspermann serves with the University of Southern Indiana in applied research, coordinating 50 projects in southwestern Indiana. She is a 2008 Lugar Series of Public Excellence graduate who wants to "give a voice to southwestern Indiana." She won a candidacy challenge before the Indiana Election Commission in March, then easily defeated Angela Sowers by 60 percent in the primary. **Horse Race Status:** Likely Stilwell

HD75: Warrick County Coroner Ron Bacon now seeks the open seat vacated by State Rep. Dennis Avery and will be defended by Mater Dei HS football and wrestling coach Mike Goebel. Indiana Republicans have a field director in this race. **Horse Race Status:** Leans Goebel

HD 76: This is one of the more unusual races. State Sen. Bob Dieg takes over the Democratic nomination after State Rep. Trent Van Haaften left to run for the 8th CD seat in the dominoes set off by U.S. Sen. Evan Bayh. Wendy McNamara is director of Early College High School for the Evansville Vanderburgh School Corporation and an adjunct instructor at the University of Southern Indiana. McNamara is a former assistant principal of Evansville North High School. Gov. Daniels carried the district with 62 percent in 2008. Dieg's Senate district encompassed this district and Chairman Parker believes the seat will stay in the Democratic column. **Horse Race Status:** Tossup

HD77: Former DLGF Commissioner Cheryl Musgrave is challenging State Rep. Gail Riecken in one of the top matchups in the state. Musgrave is undefeated when she was a Vanderburgh County commissioner and auditor and has carried the district in her countywide runs. Gov. Daniels carried the district with 53 percent in 2008. But Parker calls this the "most Democratic district in Southern Indiana" and notes that Ellsworth at the top of the ticket will help Riecken. **Horse Race Status:** Tossup

HD86: Kurt Webber is challenging State Rep. Ed DeLaney. This has become a reliable Democratic district and is included here as an outlier - that is, if we're talking



about it in October, there is a wave materializing. **Horse Race Status:** Likely DeLaney

HD89: Republican Cindy Kirchofer, a paralegal with St. Francis Hospital, will challenge State Rep. John Barnes in the most Republican seat the Democrats hold. It was a 60 percent GOP district in the 2002 baseline. **Horse Race Status:** Tossup

HD97: Neuro nurse and Tea Party activist Wes Robinson is challenging State Rep. Mary Ann Sullivan in a seat that should remain with the Democrats. This is another "outlier" seat. **Horse Race Status:** Likely Sullivan.

Democrat targeted seats

HD4: Judge Thomas Webber will challenge State Rep. Ed Soliday of Valparaiso. Gentry says Soliday looks good in internal polls. **Horse Race Status:** Leans Soliday

HD15: State Rep. Don Lehe always seems vulnerable and always seems to win. He's facing Democrat Timothy Downs of Monticello, who won the Democratic primary with 70 percent of the vote. Downs is former president of the Indiana Fraternal Order of Police with ties to former Lake County Sheriff John Buncich. Parker expects Downs to run better in Lake County. Lehe won by just under 400 votes over former Newton County Sheriff Myron Sutton in 2008. Two years before, Lehe defeated Sutton by just 22 votes. **Horse Race Status:** Tossup

HD21: The open seat of Jackie Walorski will be between Elkhart businessman Dwight Fish and Republican Timothy Wesco of Mishawaka. Most of the district is in Elkhart County. **Horse Race Status:** Leans Wesco.

HD26: West Lafayette Councilman Paul Roales will take on freshman State Rep. Larry Truitt, who won in 2008 by just 26 votes. Roales represented Purdue on the council and headed the Obama ground game in 2008 in the county. **Horse Race Status:** Tossup

HD51: State Rep. Dick Dodge defeated David Powers in the primary 5,698 to 4,164 and now finds Auburn attorney Cody Ross as a challenger. **Horse Race Status:** Leans Powers.

HD72: New Albany city attorney Shane Gibson will challenge freshman State Rep. Ed Clere, who won the seat in the biggest upset in 2008 when he defeated long-time Democrat Bill Cochran by just over 100 votes. Watch for New Albany Mayor Doug England and Cochran to bolster Gibson's campaign as payback. **Horse Race Status:** Leans Clere

HD92: State Rep. Phil Hinkle is challenged by Steelworkers activist Brett Voorhies. The Democrats will use Hinkle's opposition to the Wishard referendum. **Horse Race Status:** Leans Hinkle. ❖

Evan Bayh's fine mess for Indiana Democrats

By **BRIAN A. HOWEY**

INDIANAPOLIS - In compiling the first fall Indiana House Horse Race and then getting the Rasmussen Reports poll on the U.S. Senate race, the potentially immense impact Evan Bayh's retirement decision has on the Senate race begins to sink in.

For Indiana Democrats, it could be a disaster.

The Rasmussen Reports poll from May 5-6 has Republican Dan Coats leading U.S. Rep. Brad Ellsworth

51-36 percent. Now, one of my favorite lines has been to not place too much importance on polling in April and May. If we had done so in 1992, we would have expected a President Perot.

But even at this early date, what is unmistakable is that a once relatively safe U.S. Senate seat in the Democratic column may be slipping away. At the Coats victory party on Election Night, the room seemed flat and uninspired. The Coats candidacy is not a wellspring

of grassroots activism and emotion. It was the plugging of a hole in the GOP field Coats entered on Feb. 2 that was unable to raise the kind of money to fund a U.S. Senate race. Then I came across the edition last fall in which Dan Dumezich announced he had decided not to challenge Bayh, believing he had only about a 20 percent chance of succeeding. Ouch.

Bayh certainly would have had an intense re-election battle and I suspect he was looking at internal numbers showing that his landslide days had abated. But even in an environment hostile to incumbents, and considering the history of one-time presidential candidates coming home and losing, Bayh probably was looking at a victory in the 5 to 7 percent range instead of his customary 25 percent. Ellsworth has had to put a campaign together on the fly and many are openly wondering about its outreach to African-Americans, Latinos, labor and the news media. It hasn't been pretty.

Whatever Bayh saw, the fact is that he has left his party in dire straits.

Ellsworth's 8th CD certainly would have been in play in the fall. But as part of the Bayh retirement dominoes, it also is on the endangered list for Democrats. HPI





probably would have had the race in a "Leans" Ellsworth category until Dr. Larry Bucshon could demonstrate that he could match his establishment support and pick up that of the Kristi Risk Tea Party wing. It will be in "Tossup" when the HPI Horse Race does the Congressional races next week. Bucshon is one of the few "new faces" the Tea Party has been seeking, and his will be a voice that can articulately speak to the health care reforms that, in the Rasmusen Poll, find 59 percent of Hoosiers favor repealing.

So there are a U.S. Senate seat and a U.S. House seat on the post-Bayh endangered list.

Now look at the Indiana House seats. HD76 is an open seat now that State Rep. Trent Van Haften has migrated to the 8th CD. The Democrat domino is State Sen. Bob Dieg, who is making a rare move from the Indiana Senate to the House. But the Republicans have a great candidate in educator Wendy McNamara and so a once "safe" or "likely" Democrat seat goes into the Tossup zone because it is open, the GOP candidate is strong, and the environment is decidedly Republican.

So there are a U.S. Senate seat, a U.S. House seat, and an Indiana House seat at "Tossup" or worse for the Democrats.

The Dieg Senate seat is being plugged by Patty Avery, the wife of retiring State Rep. Dennis Avery. In HD75, she would have been a cinch to retain that seat. But now we have Coach Mike Goebel running against Warrick County Coroner Ron Bacon. It's "Leans" Democratic, but in the pre-Bayh retirement, we wouldn't even be talking about that.

Until Bayh's last appearance on the ballot, he had long coattails for the Indiana House candidates, usually taking three new House seats with him. The wardrobe has changed. Ellsworth is wearing a tuxedo T-shirt as opposed to evening wear. When you go through the Indiana House Horse Race list, there are three Democratic seats that we believe are likely to head into the GOP column. So there goes the House. It was poised to go anyway, but Democrats at this milepost are looking at a sieve.

There are another three or four Southern Indiana House seats in addition to those already discussed that are out of the "Safe" and "Likely" Democratic column and into the "Leans" category. Seven Democratic seats are in "Tossup." In a Republican tsunami, with Gov. Mitch Daniels openly on the warpath and helping to design the strategy, don't be surprised if at least one of them migrates to the GOP column.

So the tally is now a U.S. Senate seat, a U.S. House seat (and we haven't even touched on the Bayh coattails as related to U.S. Reps. Joe Donnelly and Baron Hill who will be in a "Tossup" race next week) and now perhaps three to six Indiana House seats in play ... and this is a potential disaster.

But you can't pin all the blame on Evan Bayh for a tsunami scenario. When the creek goes from babbling to raging, big boulders and pebbles roll. What you can blame on Bayh is the 11th hour timing (on Feb. 15, President's Day) and the Chinese fire drill that followed, as well as that Democratic primary ballot that didn't even have the U.S. Senate race listed.

Yes, almost every Democrat knew that Ellsworth was waiting in the wings for a coronation this weekend

as the nominee with only Bobby Hidalgo Kerns facing him on the ballot. But now this gets into base motivation and voter intensity. The Democrats lost those elements in 1994 and paid a dear price. The fact that 30 Democrats will make the Senate nomination call is old style, paternalistic politics. Now add the high support for health care repeal, President Obama's 43/58 fav/unfavs and this is, at this point (to be charitable) one fine mess. Many Democrats still adore Evan Bayh. Once there was a

whiff of a 2012 gubernatorial run, and those already in the field like Lake County Sheriff Roy Dominguez and Evansville Mayor Jonathan Weinzapfel (at one point a true contender) dropped to their knees to kiss the ring.

Bayh could possibly be the nominee and our next governor if he wants it. We're hearing he's doing a fundraiser on the eve of the Jefferson-Jackson Day Dinner. Will some of the proceeds go to Speaker Bauer?

In a way, I was saddened that Bayh wasn't named to head the NCAA. It would have been a perfect job for him and he would have been good at it. I'm not sure how I would feel about another eight years of him in the governorship with every move weighted toward another presidential run in a post-Obama era.

This state needs bold, innovative leadership between now and our bicentennial.

If Bayh does decide to resume his political career, though, he might first have to answer for the damage his retirement created for an Indiana Democratic Party he once revived. ❖



The boys on the bus (Brian Howey, John Ketzenberger, Terry Housholder, Jack Colwell) on the way to the 1996 Democratic National Convention with Gov. Bayh where he gave the



What Ellsworth and Coats must do to win

By **CHRIS SAUTTER**

WASHINGTON - Once upon a time Indiana hosted some of the best U.S. Senate battles in the country. In four elections, Birch Bayh never had an easy race. Bayh defeated incumbent Homer Capehart, future EPA administrator William Ruckelshaus, and Indianapolis Mayor and future Senator Richard Lugar before falling to Dan Quayle in 1980. All were hotly contested elections against quality opponents.

Vance Hartke defeated sitting Gov. Harold Handley in his first Senate win. Hartke's re-election victory in 1970 against Congressman Richard Roudebush was so close the U.S. Supreme Court had to resolve whether a state recount was required or whether the disputed election could go straight to the U.S. Senate (the Court ruled Indiana could conduct its own recount first). Even Richard Lugar's first re-election against Congressman Floyd Fithian, who was gerrymandered out of a district, was relatively close (by Lugar's standards).

But Indiana has not had a truly competitive U.S. Senate race in almost 30 years as Lugar and Evan Bayh have walked over each of their opponents. Dan Coats, who was appointed to the Senate when Quayle became Vice President, faced statewide voters twice—in 1990 and 1992. Both elections were disappointing from the voters' point of view. Now, after three decades of boring Senate races in Indiana, 2010 might finally produce a contest worthy of those great elections of years past.

The two most important factors determining the outcome of an election are quality of the candidates and the political dynamics of the election year. Both Ellsworth and Coats are quality candidates. But both carry baggage—Ellsworth carries the baggage of the Democratically controlled House while Coats has the baggage of his career as a Washington lobbyist.

Because Indiana is a Republican leaning state and 2010 is shaping up to be a Republican year, Coats starts out as the favorite. But Coats' flaws are personal while Ellsworth's are indirect. Ellsworth can find ways to disassociate himself from Nancy Pelosi and House Democrats. Coats' lobbying cannot be as easily explained away, especially in a year of intense anti-Washington feelings. Coats' dilemma gives Ellsworth an opportunity to turn the dynamics of the year into a liability for Coats when they should provide a decided advantage.

Below are guidelines as to how each candidate can put himself in a position to win in November:

What Ellsworth Must Do:

Ellsworth has to define himself and Coats before Coats does. In 1992, Coats used the summer months effectively to define Democrat Joe Hogsett as an over-ambitious self-serving politician. By the time Hogsett was able to get on the air with his paid media, it was too late for him. Ellsworth has to stick the Washington insider/lobbyist tag on Coats like fly paper.

Ellsworth needs to project a message that takes full advantage of his background as former Vanderburgh County Sheriff while contrasting with Coats as self-serving. In a video statement released primary election night, Ellsworth began to do just that. Ellsworth pledged to give Hoosier voters a choice between someone who has demonstrated as sheriff and in Congress that he works for "everyday Hoosiers and their priorities and not big special interest lobbyists in Washington." But Ellsworth could sharpen that message even more, defining himself as a protector of Hoosier working families while lobbyist Coats and his corporate clients would rob them of their jobs and retirement security.

Ellsworth needs to consistently provide visual contrast. Coats looks as if he has aged considerably more than 12 years he has been out of office. The visual contrast between the two candidates reinforces the message that Coats is old time politics while the fresh looking Ellsworth is Indiana's hope for the future. No Ellsworth TV advertisement should air that does not show the two candidates side-by-side.

What Coats Must Do:

Coats must take nothing for granted and run like he is behind. That is not always easy when you are the frontrunner. Coats must make Ellsworth unacceptable to voters right out-of-the-box. He must replicate the successfully aggressive strategy he used against Hogsett in 1992. "We are going to confront Congressman Ellsworth and his liberal Washington allies," Coats told his supporters election night. He needs to be even more direct. Coats must also demonstrate he is truly committed to representing Indiana after living in Virginia for years. Hoosiers understandably have their doubts.

Coats must force Ellsworth into mistakes. Ellsworth has never been seriously challenged. He will try to keep his distance from the press, and campaign from very controlled environments. But Coats must try to pull Ellsworth away from the protection of his handlers. One way is through debates. Coats is much more familiar with issues before the Senate than Ellsworth. Coats should press for multiple debates and then demonstrate Ellsworth is out-of-his depth.

Coats must avoid mistakes. Coats stumbled coming out of the gate. He seemed unprepared to run and



Chris Sautter
Column



scrambled to explain the details of his lobbying career. He brought former Reagan official William Bennett to Indianapolis to campaign for him reinforcing that Coats comes from another era.

And, Coats' refusal to file a timely financial statement brought more attention to his lobbying income than it would have otherwise. Coats cannot afford any more mis-

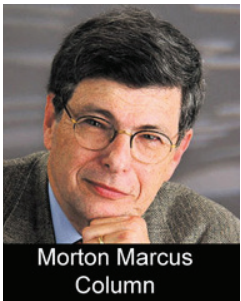
takes like these.

While Hoosier voters are not getting the Bayh-Coats match-up many had hoped for, Ellsworth versus Coats could be every bit as exciting. Yet, as was the case with Bayh-Capehart, the outcome may be decided by events which have yet to happen and are out of the control of both candidates. ❖

The economy improves but the pain persists

By **MORTON J. MARCUS**

INDIANAPOLIS - "What we need from you," the TV news producer said, "is a quick look at the unemployment numbers. It should seem you've done lots of research on this and are digging deep to give us the low-down. Of course, we don't have time for real depth, but a scowl and a slight twitch will cover that."



Morton Marcus
Column

I practiced scowling and twitching. Unemployment numbers come out monthly and the news media cover them as diligently as violations of selected commandments. Not only do

we get the national numbers, but we get state and county numbers as well. It's a feast without nutrition attended by the entire country. After all, these local numbers can send federal dollars to your hometown or, if they are bad enough, get you a visit by the President and the national press corps.

"What's the big headline in the latest numbers?" the producer asked. "Give me the good news."

"From March 2009 to March this year," I started.

"No dates," the producer said. "Information overload. Give it to us nude."

I blushed, but pressed on. "A year ago, every Indiana county had fewer employed people than a year earlier. Now, the good news is that 26 of Indiana's 92 counties have more residents employed and fewer unemployed than they did a year ago. These might be called the bounce-back counties."

(I didn't point out that 66 counties failed to have such improvements. Let this 'communications' major figure that out privately.)

"Wow," the producer wowed. "Bounce-back. You've a flair for this. Tell us the names of a few of these bounce-back counties."

"Kosciusko and Knox," I said. "Cass, Lawrence, and

Jay are also on the list."

"What about places we know?" the producer asked.

"Well," I thought aloud, "Marshall, Noble and Adams are all on that list, but the news just isn't as good there as elsewhere."

"How's that?" the producer puzzled. "Employment up and unemployment down, but that's not good news?"

"Take Lagrange County for example," I offered. "The number of persons employed rose by 400 and the number unemployed dropped by 1,100. What happened? It appears that 700 unemployed people stopped looking for work and left the labor force. Maybe they moved out of the county. Maybe they went back to school. Maybe they stayed home watching your news broadcasts and the weather channel. We don't know."

"Enough, enough," the producer said. "Our anchor is going to ask you about the state. Say something cheerful."

"Indiana," I said, "is off its peak number of employed persons by less than ten percent." (I didn't mention that we were talking about 284,000 people, or that we just had the worst kind of year.)

"What was that? You said something under your breath. Tell me," the producer insisted.

"You're sure?" I asked, going on without waiting for an answer. "In March this year, 97,500 fewer Hoosiers held jobs and 15,200 fewer were looking for work than in that month a year ago. This means we saw 112,700 fewer people in our labor force. They didn't all retire? Did they? They weren't all sick?"

"This is no longer news; this is an on-going calamity. We just went through a political primary without hearing any pertinent thoughts about what to do as a state or a nation. Six months from now, half of the remaining candidates will be elected to office after promising to deliver what they can not. All during the campaign, and after, you'll broadcast their messages because you have no idea of what is important and no respect for your audience."

"Ya'know," the producer said, "I don't think we'll be able to use you today after all." ❖

Marcus is an independent economist, speaker, and writer formerly with IU's Kelley School of Business.



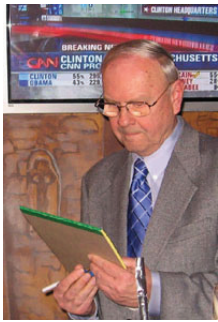
St. Joe County showing signs of bipartisanship

By JACK COLWELL

SOUTH BEND - St. Joseph County, long regarded as a bastion of Democratic support, showed signs of being more of a toss-up politically in the primary election.

Consider this: A spirited five-candidate race for sheriff in the Democratic primary drew 13,962 total votes. A three-candidate race for sheriff in the Republican primary, though receiving less news media attention, drew 13,906.

Republicans, who often stay home in May in a defeatist attitude about GOP nominee prospects, went to the polls in far greater numbers than in the last comparable primary in 2006. Democrats stayed home in droves.



This is good news for Jackie Walorski, the Republican nominee for Congress in the 2nd District. Not so good for Democratic Congressman Joe Donnelly, who must win big this fall in his home county to be certain of election to a third term.

The district-wide totals also show a surge of Republican primary voters, with the crucial GOP primary battle for the party's U.S. Senate nomination a major factor, and a sharp decline in the Democratic primary totals.

In 2006, there were 36,869 votes cast in the Democratic congressional primary in the 12-county district, with Donnelly getting 30,589 of them. And there were 35,855 votes cast in the Republican primary, with then-Congressman Chris Chocola getting 25,139 of them.

This time: There were 26,657 votes cast in the Democratic primary for Donnelly, running unopposed. And there were 47,887 votes in the four-candidate Republican primary, with Walorski getting 29,116 of them.

Donnelly in running unopposed had little at stake, with neither a chance for momentum by vanquishing the opposition nor danger of being embarrassed by an opponent's surprising showing.

Some St. Joseph County Republicans were hoping that Donnelly's total would drop below that of other Democratic officials running unopposed as a sign of dissatisfaction with Congress or with Donnelly's support of health care reform. But Donnelly got more votes than any other candidate in the Democratic primary.

Walorski faced the possibility of embarrassment. And she didn't exactly have a good final week of the campaign.

The National Rifle Association accused her of trying to mislead voters to believe that the gun-rights group had endorsed her for Congress. The NRA didn't. And she was accused of changing language of an NRA spokesman in a news release.

Then the Elkhart Truth endorsed one of her Republican primary opponents, Jack Jordan, citing Walorski's "overreaching rhetoric" and "angry oratory."

Indeed, the self-proclaimed "pit-bull" in political battle may need to be more restrained in order to capture the middle ground in the fall, especially those who did not vote in the primary and look with a more independent eye.

But in politics, all's well that ends well. Election night ended well for Walorski. There had been signs that Jordan, who began with zilch name recognition, was finally making headway. In seeking to set a plateau before the vote, I suggested that Walorski "certainly needs well over half the vote to claim momentum."

She captured 61 percent of the vote, well over half. Not spectacular but enough for Republicans at the national level to give serious consideration to all-out targeting of the district.

Walorski has work to do, especially in the counties at the southern edge of the district. Jordan defeated her soundly in Cass County. Since Jordan was a credible candidate, this was not an embarrassment of the type suffered by Chocola when he lost two counties in a primary to Lewis F. "Farmer" Hass, who designated an outhouse as campaign headquarters.

While the battle for the U.S. Senate nomination helped to draw more voters to the Republican primary, it could be problematic for the fall. Former Sen. Dan Coats won but with a smidgen less than 40 percent. Will the other 60 percent support him in the fall? Or will some not vote or defect to Congressman Brad Ellsworth, the "Blue Dog" moderate to be named as the Democratic nominee for the Senate?

In a crucial county like St. Joe, will stay-at-home Democrats of May be enthused in November? Will the Republican enthusiasm now continue into November?

Putting too much stock in primary vote totals is dangerous. So is brushing off the significance. ❖

Colwell has been covering Indiana politics over five decades for the South Bend Tribune. He is a regular HPI columnist.



Sylvia Smith, Fort Wayne Journal Gazette: Every primary, one in four Republicans supports the not-Souder candidate. This year, a well-funded and politically savvy opponent could have taken that head start and turned it into a pink slip for Rep. Mark Souder, who got a hair under half the total vote. Bob Thomas came within three votes per precinct of winning, but Souder was protected by two things: Thomas made some rookie errors, and the other two candidates siphoned off some of the anybody-but-Souder sentiment. Thomas didn't have a grass-roots organization or political infrastructure. But he had something worth nearly all that: money and a brash, bold approach to goals that most successful business owners have in their DNA. He ran a textbook-perfect campaign. Thomas' weak spot, though, was in the details and tone. For instance, he didn't find a way to tap into the anti-incumbent, anti-establishment rebellion that's especially represented in the tea party movement. Thomas' lack of experience with policy issues led him into lousy first impressions with some of the tea party groups. For instance, when one asked his view on foreign aid, Thomas said he was opposed to it. But members of that group are religious conservatives who think the fate of the U.S. is tied to how it treats Israel. Ending aid to Israel would be a wrong and wicked policy, as far as those voters are concerned. When he realized his mistake, Thomas called the question a "trick." Beginning last summer, Souder started meeting with the tea party groups and their leaders, working to defuse their inclination to punish him for votes such as the Wall Street bailout and the auto industry loans. Despite Souder's wooing, Thomas might have made some headway on the spending votes. But he overstepped by trying to equate Souder with Democratic leaders. Thomas should have contrasted a 1994-era Souder making firm conservative statements with the more-nuanced 2010 support of, say, the auto industry loans. Instead, Thomas ran a commercial that asked Hoosiers to swallow the idea that Souder was a clone of Nancy Pelosi or Harry Reid. Thomas also made other novice mistakes. He wasted his money and voters' time on the term-limits issue and the Souder-won't-debate complaint. They should have been backdrop issues, not the main event. No doubt Thomas' polling showed that a fair number of people think Souder made a term-limits pledge and that they are not happy about what they see as a reneged promise. Northeast Indiana voters have shown in multiple elections that they are not going to punish Souder on this. And – really – who cares whether candidates debate, aside from challengers and the political writers who cover them? However, used in the context of "Has Washington Changed Souder?" the term-limits issue might have had legs this year – not as a stand-alone issue but as



support for the claim that Souder has morphed into something the region doesn't want. Ditto the debate complaint. Thomas conducted a poll the weekend before Election Day. Instead of deploying what political operatives call a "push poll" – a way to plant allegations or negative suggestions in the guise of asking people how they will vote – Thomas' survey seemed to be a true poll. What good is that just a few hours before ballots are cast? Opportunity missed. Thomas also muffed the issue of campaign rules. It's one thing to not meet the deadline for filing a required personal financial disclosure report. It's another to insist that he got permission to string it out. Thomas let that be a distraction for far too long. He also didn't capitalize on one of Souder's biggest goofs: mocking Thomas for being rich. Thomas addressed that obliquely in a commercial, but he should have hit it much harder. Thomas could have turned his campaign-finance disclosure report into a plus by drawing attention to his wealth (instead of hiding it) and using it to dig at Souder. The commercial could have been: "Yes, I'm rich. Yes, I have 50 classic cars and a hangar full of airplanes. Why? Because I believe in the free market system and hard work – just like Republicans everywhere. My success pays the salaries of 157 sales reps, mechanics, secretaries and loan officers. Their families shop at Kroger, eat at Casa and buy their kids' shoes at Target. Why does Mark Souder think that's a bad thing? In fact, I'm proud he calls me Big Bucks Bob." Souder's constant use of "Big Bucks Bob" and sending out a flier with a color photo of Thomas' four-chimney mansion may have backfired another way: It hammered home the idea that Thomas didn't need donors to help him finance the race.

Gary Gerard, Warsaw Times-Union: Last Saturday, President Obama gave a great speech during commencement at the University of Michigan. He said things that I truly wish all politicians would take to heart - including President Obama. He said American needs, "a basic level of civility in our public debate." Here, here. I couldn't agree more. He said, "We cannot expect to solve our problems if all we do is tear each other down ... You can disagree with a certain policy without demonizing the person who espouses it. You can question someone's views and their judgment without questioning their motives or their patriotism. Throwing around phrases like 'socialist' and 'Soviet-style takeover,' 'fascist' and 'right-wing nut' may grab headlines, but it also has the effect of comparing our government, or our political opponents, to authoritarian, and even murderous regimes. "... The problem is that this kind of vilification and over-the-top rhetoric closes the door to the possibility of compromise. It undermines democratic deliberation, it prevents learning. truly great speech. ❖



Dueling sniping via Senate websites

INDIANAPOLIS - Republican Senate candidate Dan Coats is "Fakebook" friends with Wall Street, Yemen and Venezuelan President Hugo Chavez, according to a website launched by Indiana Democrats that uses a Facebook spoof to criticize his lobbying work (Weidenbener, Louisville Courier-Journal).



The GOP, meanwhile, has created a site attacking Democrat Rep. Brad Ellsworth, who is set to be named on Saturday as the Democratic nominee for the open seat. The site suggests Ellsworth is a rubber stamp for a liberal agenda in Washington and offers a chance to "Donate now to help stop Brad!" Both parties dismiss the other side's website as a political distraction. The Indiana Democratic Party has been criticizing Coats for his lobbying work since he launched his campaign in February, shortly before Democrat Sen. Evan Bayh made his surprise announcement that he wouldn't seek a third term. But Democrats stepped up their attacks after the primary a week ago. A "Fakebook" section on lobbyistdancoats.com names his location as Virginia and North Carolina — both of which are crossed out — before listing Indiana. Democrats have criticized Coats, a former U.S. senator, for wanting to represent Indiana after living and voting in Virginia for several years and having a second home in North Carolina. The website also said Coats would look out for his former lobbying clients over the interests of Indiana voters, and outlines their ties to companies that hired Coats' firm or previous employers. State Democratic Party chairman Dan Parker said Coats must explain his lobbying work. "Dan Coats may try to shrug off his lobby-

ing work as an easy paycheck, but his actions are of real concern to Hoosier families," Parker said. "Coats needs to come clean about exactly what he did." Coats' campaign spokesman, Pete Seat, denied that Coats lobbied for any clients who sought assistance through the stimulus package and called the Democratic criticism "attempts to connect dots that don't exist. "In many cases, Dan did not personally lobby; the firms' standard procedure was to list all members on the disclosure reports whether they performed any work for the client or not — out of an abundance of caution in order to go above and beyond filing requirements."

21% voted in Indiana primary

INDIANAPOLIS - About one in five Hoosiers who are registered to vote cast ballots in the May 4 primary election (Indianapolis Star). This year's 21 percent primary turnout, though, is par for the course. In primary elections this decade, turnout has ranged from 19 percent in 2006 to 22 percent in 2002, with one big exception: 2008. That year, with Indiana in the thick of presidential politics and Barack Obama and Hillary Rodham Clinton wrestling for the Democratic nomination, 40 percent of Hoosiers went to the polls.

FSSA to expand 11 counties

INDIANAPOLIS - The Family and Social Services Administration announced Tuesday the next region for its new "hybrid" welfare eligibility system is an 11-county area that includes Vigo, Parke and Monroe counties (Kelly, Fort Wayne Journal Gazette). The expansion is dependent on federal approval. FSSA on Monday released statistics showing that adding more local welfare workers in 10 southwest Indiana counties under a pilot

hybrid system has cut the problems that clients have had with Indiana's privatized, automated benefits system. Anne Murphy, secretary of the Family and Social Services Administration, will present results from the rollout of the hybrid welfare intake system to the State Budget Committee today. The state has been scrambling to fix the problems created when it turned over welfare intake for more than 1 million Indiana residents to a team of vendors, sparking lawsuits and complaints from clients and lawmakers.

Ballard promises to keep libraries

INDIANAPOLIS - The city pledged on Tuesday to keep open the six library branches that the Indianapolis-Marion County Public Library has said could close because of budget constraints (Indianapolis Star). Exactly how the city would help is still uncertain, but leaders made it clear that coming up with a stopgap measure to avoid the closings is critical. "The mayor is committed to keeping the libraries open until a long-term solution is found," said Robert Vane, deputy chief of staff and communications director for Mayor Greg Ballard. "But he is clear: A long-term solution must be found." The city's promise comes a day after residents packed a public forum on a plan that library officials have floated to deal with a \$3.2 million shortfall caused by property tax caps. Another forum is set for tonight.

Senate confirms DeGuilio for DA

WASHINGTON - Former U.S. Attorney Jon DeGuilio has been confirmed as a federal judge for northern Indiana. The U.S. Senate confirmed DeGuilio to the lifetime appointment on Tuesday. President Barack Obama nominated him for the U.S. District



Court position in February. DeGuilio is a former Lake County prosecutor and was the top federal prosecutor for the northern third of Indiana from 1993 to 1999. He most recently was an executive for Munster-based NorthWest Indiana Bancorp. Sen. Evan Bayh says he's confident that DeGuilio "will serve the people of Indiana with distinction."

Budget committee to weigh reforms

INDIANAPOLIS - Indiana's State Budget Committee is taking up the fiscal impact that the national health care overhaul will have on Indiana (Associated Press). The budget panel will meet this morning at the Statehouse. Committee Chairman Sen. Luke Kenley says it's "vital" for state officials to get a handle on the fiscal impact of the health care changes as they begin the early stages of putting together the next two-year state budget. Kenley is a Republican from Noblesville. The bipartisan panel also is set to review the state's efforts to fix problems with its privatized, automated welfare intake system and the status of a jobs program.

Ralston joins Terre Haute Council

TERRE HAUTE - Pat Ralston, a Terre Haute banker with experience in state and local government, will fill the Terre Haute City Council seat vacated recently by former Councilman Turk Roman (Terre Haute Tribune-Star). An 11-member Democratic Party caucus made up of precinct committee members from the city's 2nd District chose Ralston on Tuesday evening in Terre Haute's City Hall. Ralston received eight votes from the caucus, topping Thomas King, co-owner of TK's Sports Grill & Pub, who received three votes. A third candidate, financial adviser David Dittmann, received

no votes from the caucus. "No matter how this thing would have come out, there would have been good representation on the City Council," Ralston told the caucus after his election. "I ran against two very good individuals who would have been very qualified to do this work. I'm honored that I was chosen."

Ballard touts utility sale

INDIANAPOLIS - Standing in front of a half-burned abandoned house, Mayor Greg Ballard talked Tuesday about the need to fix ailing infrastructure and offered the sale of water and sewer utilities as the way to get money to do it (Indianapolis Star). He touted the deal, which would put the utilities under the control of the nonprofit Citizens Energy Group, a "once-in-a-generation opportunity to fix decades-old problems." About \$450 million from the deal -- money that would come from sewer rates -- would be used for roads, streets, bridges, sidewalks and other long-term projects. Ballard has pledged the money will not go toward operating costs.

Henry proposes new office plan

FORT WAYNE - Mayor Tom Henry's second attempt to advance the city-county office-space effort went far more smoothly than the first (Fort Wayne Journal Gazette). The City Council on Tuesday voted unanimously to introduce a bill to accept the recommendations of the joint Allen County and Fort Wayne space task force. The council conducted no discussion on the bill, voting it through its first hurdle in less than a minute. The council last month rejected a similar resolution in a 5-4 vote, but many of its opponents said they were more concerned with the wording of the bill than with the content. Councilman Mitch Harper,

R-4th, said this version is far superior to the last attempt. He said he didn't think it was a large issue, but the previous bill was simply shoddily drafted and could not be supported.

New Haven to raise water rates

NEW HAVEN - The City Council will consider a water rate increase in a few weeks (Fort Wayne Journal Gazette). The increase would be the first since 2001 and would be used to pay off a \$6.2 million bond that city officials hope to issue to cover five years' worth of water line repairs. Keith Schlegel, the city's engineering director, gave a detailed presentation to the council Tuesday to explain the needs of the aging water infrastructure.

Hung jury for New Albany councilor

NEW ALBANY - A mistrial was declared on Tuesday in the drunken-driving trial of New Albany City Council member Diane Benedetti (Louisville Courier-Journal). After three hours of deliberations, the Floyd County Superior Court 2 jury of three men and three women said it could not come to a unanimous decision. "There is no question it's a victory for us," said Bart Betteau, Benedetti's lawyer. He said the hung jury shows the state does not have the evidence for a conviction. But Floyd County Deputy Prosecutor Abe Navarro disagreed, saying: "It is not a victory for the defendant; it is not an acquittal." Special Judge Frank Newkirk set a new trial date on Aug. 31, and scheduled a pretrial conference for July 16 at 2 p.m. Benedetti was arrested about 2:30 a.m. on Nov. 7 near the intersection of Spring and Woodrow avenues in New Albany by an Indiana State Police trooper and charged with driving while intoxicated.