

The Howey Political Report



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“QUOTE” OF THE WEEK

“I think this is more important than any other issue we’re dealing with.”

- State Rep. Dennis Kruse, on the Defense of Marriage Act

Gay marriage stalls Indiana legislature

How dangerous is this wedge issue?

By **BRIAN A. HOWEY** in Indianapolis

Willie Horton. Flag burning. School prayer.

Has gay marriage become the hot button social issue of the 2004 campaign?

Yes.

Is it because President Bush needs to energize his conservative base, which is upset over huge deficits and immigration? Perhaps.

Could it backfire? ABC News pollster Gary Langer said on *Nightline* Tuesday, “There’s a lot of conflicted opinion all across the spectrum. It’s the kind of issue politicians used to let lie.”

President Bush energized the issue Tuesday when he said, “Eight years ago, Congress passed, and President Clinton signed, the Defense of Marriage Act, which defined marriage for purposes of federal law as the legal union between one man and one woman as husband and wife. The act passed the House of Representatives by a vote of 342-67 and the Senate by a vote of 85-14. Those congressional votes, and the passage of similar defense of marriage laws in 38 states, express an overwhelming consensus in our country for protecting the institution of marriage.”

Bush continued, “In recent months, however, some activist judges and local officials have made an aggressive attempt to redefine marriage.” He cited the cases in Massachusetts, New Mexico and San Francisco where thousands of gay people have been wed. “We should also conduct this difficult debate in a matter worthy of our country, without bitterness or anger,” Bush said.

In Indiana, the House is at a standstill with Speaker

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Covering 10 years of Indiana politics

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GARIN-HART-YANG POLL SHOWS BUSH LEADING KERRY 49-42 PERCENT: The Garin-Hart poll for Indiana Democrats shows President Bush leading U.S. Sen. John Kerry 49-42 percent in Indiana.

WXIN POLL HAS BUSH LEADING KERRY: WXIN-TV in Indianapolis conducted a poll in Indiana showing Bush leading Kerry 51-45 percent.

GARTON TALKS ABOUT BAUER'S STANCE: House Speaker B. Patrick Bauer said he would not try to change a deadline for bills to be amended, which would mean 82 bills up for consideration today would die if the chamber doesn't convene (Evansville Courier & Press). Republicans argue that the House has until March 14 to do business and members could easily vote to move the deadline. The 82 bills in peril all originated in the Senate, and Senate President Robert Garton, R-Columbus, said he was concerned about the bills' fate. "We're not a unicameral legislature," Garton said. "There are two wings to the bird and right now it's not flying." Garton added that he's been able to work well with Bauer and thinks he's a man with a religious background and high morals. "He must have pressures on him I don't under-

B. Patrick Bauer and Rep. Scott Pelath refusing to hear the bill. Republican gubernatorial candidates Mitch Daniels and Eric Miller support a constitutional amendment. Gov. Joe Kernan says current Indiana law is sufficient.

In a recent ABC News poll, the country is equally divided on whether to amend the Constitution: 46 percent think the Constitution should be amended and 45 percent feel the states should be making those decisions. In a *USA Today*/Gallup poll last week, the number was tied at 46-46 percent. An NBC News poll this morning said 41 percent favored the amendment and 48 percent opposed.

Such recent numbers aren't available for Indiana. But the *Muncie Star Press* reported on an Indiana University poll that showed survey of 712 people last summer twice as many young people (who don't tend to vote) were more likely to accept same-sex relationships. The survey also found a large middle group of people ages 45-54 who were more likely to recognize gay couples as families.

"There is a large group of people that are really struggling with this issue," said Brian Powell, an IU sociology professor (Rick Yencer, *Muncie Star Press*). "They struggle over what is right and wrong and what is fair and not fair."

ABC's Ted Kopel noted a dramatic shift in the polls since Jan. 18 and asked, "What's happened in five weeks?" He reported that the language was drafted for the amendments 2001 but needed a political opening. That was ignited by an activist judiciary in Massachusetts and the new mayor of San Francisco, but is now poised to become a wedge issue in Indiana politics.

When President George H.W. Bush used the Willie Horton issue against Democratic nominee Michael Dukakis in 1988, the impacted demographic was convicted felons on furloughs, hardly a group with an activist lobby.

Caught in the crosshairs this time is a demographic subgroup -- gay men

and women -- who already face violence and discrimination in society, though that is changing.

The issue and resulting stalemate in the Indiana House has already triggered passionate responses. Stonewall Democrats have demanded to know how many House Republicans have been divorced. "We think it is fair to ask during this debate how many legislators who are demonizing gay marriage have actually committed the most grievous possible injury to the institution they claim to want to protect," said Stonewall President Linda Perdue.

"We will not be issuing a response to this," Kim Preston, press secretary for the Indiana Republican Party, told *The Indianapolis Star*.

There is talk in the Statehouse about which members of the GOP caucus have been involved in extra-marital affairs. The two Republican gubernatorial candidates were asked about their divorces, with Eric Miller acknowledging his. "Divorce is tragic, but it does not destroy the institution of marriage," said Miller (*Indianapolis Star*). Daniels campaign refused to discuss the matter.

All of this has the potential of dramatically altering the Hoosier political dynamic. Modern gubernatorial races have been devoid of scrutinization of the personal lives of candidates, until this week. The legislature has had to deal with personal topics, including the 2002 Senate race where challenger Jeff Drozda upset Sen. Steve Johnson, who acknowledged an affair with a female intern.

Locked in this struggle are Speaker B. Patrick Bauer and House Minority Leader Brian Bosma and a proposed GOP blast motion. On Monday, Bauer characterized the amendment as "an act of war" and a "nuclear weapon." Bauer added, "If they aren't going to show up, we might as well all not be here."

Bosma, who told HPR he expected the issue to surface two weeks ago, contended, "It is a matter of state law. A

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Indiana 2004 Gubernatorial

Governor 2004: Republican: Mitch Daniels, Eric Miller. **Democrat:** Gov. Joe Kernan. **1996 Results:** O'Bannon (D) 1,075,342, Goldsmith (R) 997,505, Dillon (L) 35,261. **2000 Results:** O'Bannon (D) 1,230,345, McIntosh (R) 906,492, Horning (L) 38,686. **2004 Forecast:** Kernan's campaign still has no website up, strange in the era when Howard Dean raised a good part of his \$40 million off the internet. Daniels and Kernan sparred over FSSA in a familiar sequence. Daniels does a press conference saying he will fix a major problem. Kernan's campaign responds with a press release a couple of hours later saying they are already doing something. Daniels said he would dismantle the current structure and provide more direct attention and oversight in two critical areas: Protection of children, and worker training that leads to self-sufficiency. "Some duties of government are merely important. A few are life and death, where failure is not an option. For a President, that duty is the security of our nation. For a governor, it is ensuring the lives of children who fall under the government's protection. We will do whatever it takes to end the failures and to rebuild this capability," Daniels said. He plans to make Child Protection Services a free-standing agency and increase the number of employees with direct responsibility for the well-being of the children it serves. "When I say I want to free state employees from the dead hand of bloated middle management, FSSA is a great example." Daniels also proposes the creation of a "Department of Economic Opportunity," by combining the functions of the current Department of Workforce Development (DWD) with job training and placement services now housed at FSSA. "Unifying the related task of moving Hoosiers from welfare to work with the tools of training would make good business sense, and it would shrink the FSSA leviathan closer to a manageable size," Daniels said. "We saw it two weeks ago, we saw it last week, and we're seeing it again today." Democratic executive director Dan Parker said, "Governor Kernan is taking aggressive actions, and has from day one in office, to change and improve FSSA and other state agencies." Parker said that an additional 40 caseworkers have been hired. Ethics training is required for all FSSA staff, and nearly 7,000 employees have completed the training since December 2003. **Republican Primary Status:** *Likely Daniels*; **General Status:** *Tossup*. ❖

state constitutional amendment is critical at this point" (WTHR-TV). Bush's proposed amendment would take that authority away from states. State Rep. Dennis Kruse said last Thursday, "I think this is more important than any other issue we're dealing with."

But in town hall meetings last week in Muncie and Columbus, U.S. Rep. Mike Pence, who is a co-author of the federal defense of marriage act, wanted to talk about the issue. Constituents were more interested in other issues. The *Columbus Republic* reported, "The crowd didn't come to life until someone asked about Iraq." The *Muncie Star Press* reported that while Pence wanted to talk about marriage, "East Central Indiana residents were more interested in rising per-

scription drug costs, transportation for the disabled and alternative fuels."

Republican pollster Bill McInturff said jobs remain the top issue for most people (*Indianapolis Star*). But, he said, there are twice as many people who oppose gay marriage than people in favor. In what many expect to be another close presidential election, that fervor, he said, is enough to determine who wins. Pollster Fred Yang explained, "Voters don't like gay marriage. They also don't like to amend the Constitution."

If one side is seen as mean or discriminatory, it could backfire. The issue advocates aren't conceding an inch, and many Hoosiers will be caught somewhere in the middle. And that could be as unpredictable as ... *marriage itself*. ❖

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stand," Garton said.
"There's some disconnect there."

MANOUS MAY STRIKE DEAL WITH FEDS: Former Indiana Democratic Chairman Peter Manous is considering a deal to cooperate with the federal government in its union fraud case, according to sources close to the once-powerful political operative (Times of Northwest Indiana). The U.S. attorney's office is negotiating with Manous, who faces eight felony indictments for fraud and conspiracy, but a plea agreement has not been signed, sources said. One Manous confidante said the Merrillville attorney already has agreed to cooperate, while another said the talks are ongoing. U.S. Attorney Joseph Van Bokkelen would not confirm or deny that Manous had struck a deal. Manous, who is accused of taking and giving kickbacks, would be the second person in the Coffee Creek land development scandal to plead guilty. Former state carpenters' boss Gerry Nannenga signed a plea agreement with the federal government in November and is awaiting sentencing. The other prominent political player indicted -- Kevin Pastrick, son of East Chicago Mayor Robert Pastrick -- has hired new attorneys and hopes to postpone his and Manous'

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jury trial.

CHAMBER SURVEY SHOWS 83 PERCENT BACK DST: Should Indiana observe daylight-saving time (DST)? A recent survey conducted by the Greater Indianapolis Chamber of Commerce to its more than 3,500 member businesses resulted in overwhelming support of DST. Approximately 1,000 individuals responded to the online survey and of those, 84% believe central Indiana should change its clocks. The survey comes at a time when legislators are considering a resolution requesting that the federal government transfer most of Indiana into the Central Time Zone. If passed, Indiana would be in the same time zone as cities like Chicago and St. Louis, moving its clocks back one hour in the fall and forward one hour in the spring. Although a majority of the Chamber's survey respondents are in favor of Indiana observing daylight-saving time, preferences for the Central Time Zone (Chicago) versus the Eastern Time Zone (New York) are comparable. Forty-five percent of respondents favor the Central Time Zone while 39% favor the Eastern Time Zone. One percent has no preference and 16% of respondents are not in favor of observing DST. "It's very frustrating to our clients to have to be aware of what

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2004 Racing Form

Indiana 2004 Legislative

Senate District 2: Republican: Open. **Democrat:** State Sen. Sam Smith Jr., Mario Montelongo, Joe L. White. **2000 Results:** Smith (D) 27,151. **2004 Forecast:** Two challengers will try to unseat Sen. Smith, D-Gary, who still faces felony charges of failure to file taxes that stem from the Marion County prosecutor's investigation into the lawmaker's handling of the Build Indiana Fund. Because of lawmaker immunity against testifying during the General Assembly, Smith's trial has been bumped twice (Walsh, *Post-Tribune*). Neither of the challengers appears to be a heavyweight Democrat. One is former precinct committeeman candidate Mario Montelongo. The other is Joe L. White, who has run unsuccessfully for other offices in Lake County. White also heads the Lake County Employee Discipline Committee. **Primary Status:** *LEANS SMITH.*

HORSE R A C E

Senate District 36: Republican: Sen. Larry Borst, Johnson County Council President Brent Waltz. **Democrat:** Terry Rice. **2000 Primary Results:** Borst 7,513. **2000 General Results:** Borst (R) 24,621, Reno (D) 12,120, Williamson (L) 1,026. **2004 Forecast:** Borst and Senate Republicans pulled the embarrassing \$17 million subsidy for the horse tracks by a voice vote Monday. With Borst casting the deciding 8-7 vote on the amendment last week, he showed a lack of political judgment that could give his primary opponent a key issue. Particularly when a mailer Borst sent out to Perry Township residents over the weekend in which he described himself as a "stickler when it comes to how our precious tax dollars are spent." Waltz has challenged Borst to four debates. **Primary Status:** *Tossup.*

House District 1: Republican: Jerome Baffa. **Democrat:** State Rep. Linda Lawson, Hammond Councilwoman Kathleen Pucalik. **2002 Results:** Lawson (D) 5,669, Rosenbloom (R) 3,006. **2004 Forecast:** The House Ways and Means Committee stripped language from a bill by Sen. Rose Antich-Carr and Sen. Frank Mrvan that would bar anyone convicted of voter fraud from public employment for five years. "It's a political payback," Hammond Mayor Tom McDermott Jr. said (Steve Walsh, *Post-Tribune*). McDermott was caught off guard by the push, but he said he is certain it stems from his support of Pucalik against Lawson. The newly elected mayor also has sparred openly with Rep. Chet Dobis after the leader of the Northwest Indiana delegation criticized the mayor's decision to back a challenger in the May primary. "I think he has been mayor an awfully short time to begin running people against incumbent lawmakers. We are supposed to be on the same side," Dobis said. Lawson denied having any part in the amendment. "I didn't even know about until after it happened," she said. Asked what the message of the amendment might have been, Lawson said, "There is a whole team of people who represent Northwest Indiana. In the spirit of cooperation we need to get along." **Primary Status:** *LEANS LAWSON.*

House District 2: Republican: Open. **Democrat:** State Rep. Earl Harris, Drake Morris. **2002 Results:** Harris 7,949, Cavanaugh (R) 2,251. **2004 Forecast:** Harris, D-East Chicago, faces a primary challenge from Drake Morris, the former basketball star who played for East Chicago Washington and Purdue. "I love the city of East Chicago, but I am tired of the corruption. It makes me embarrassed to say I'm from East Chicago," Morris said (*Post-Tribune*). He is a substitute teacher in Hammond. He was the assistant park director in East Chicago until he was fired last July by one of the men now indicted in the federal probe into the East Chicago sidewalk scandal. Harris has not been implicated in any of the East Chicago corruption cases and has a reputation as an honest public servant. **Primary Status:** *LIKELY HARRIS.*

House District 7: Republican: South Bend School Trustee Joanna Blacketer. **Democrat:** State Rep. Tom Kromkowski. **2002 Results:** Kromkowski 10,846. **2004 Forecast:** If Kromkowski regains his health, he will be favored. But he does have a credible opponent and property taxes are a huge issue here, so we'll be watching this one. **General Status:** *LIKELY D.*

House District 12: Republican: Dan Fagen. **Democrat:** Rep. John Aguilera, Alicia Lopez-Rodriguez. **2002 Results:** Aguilera 7,343. **2004 Forecast:** Aguilera, D-East Chicago, has long denied living outside of his legislative district. He'll soon have to prove to the Indiana Election Commission exactly where he calls home if he hopes to run for re-election (Steve Walsh, *Post-Tribune*). Today Alicia Lopez-Rodriguez will file the necessary paperwork with the commission in Indianapolis to officially challenge Aguilera's residency. "He doesn't live in the district. This is a nation of laws. He is a legislator who is supposed to pass the law and he should follow it," Lopez-Rodriguez's attorney, Nathaniel Ruff, said Tuesday. Ruff plans to use certified documents from the Lake County auditor's office to prove that Aguilera does not live in his legislative district, which includes parts of East Chicago, Whiting, Hammond, Dyer and Munster. "We have some comments given to us by others that we will bring in as witnesses, along with his own comments reported by (the Post-Tribune)," Ruff said. **Primary Status:** *LEANS AGUILERA*.

House District 13: Republican: Open. **Democrat:** State Rep. Chet Dobis, Merrillville Councilman David Uzelac. **2002 Results:** Dobis (D) 8,379, Azcona (R) 3,906. **2004 Forecast:** Last summer, Dobis chastised the Merrillville Council for trying to float a bond issue that he desired as a tax increase. Dobis was nervous then, not knowing what the full impact of the tax reassessment would be. Now he has a primary opponent in Merrillville Town Councilman David Uzelac. Dobis first took office in 1971, making him the longest serving representative among the Northwest Indiana delegation (Steve Walsh, *Post-Tribune*). Uzelac sees it as an issue. "I don't want to be a negative candidate, but when he was first elected, I was 8 years old. I'm 39 years old now. It seems like it is time for a change," Uzelac said. Dobis, speaker pro tem of the House, has spent the least 20 years of his House career in leadership. He ticked off a list of legislation and projects that he helped bring to the district. Watch for Dobis to make the bond issue a primary topic against Uzelac, and the councilman trying to harness the energy and fallout from the property tax crisis and the corruption to make a case for a change. **Primary General Status:** *LEANS DOBIS*.

House District 19: Republican: Ron Cooper. **Democrat:** State Rep. Bob Kuzman, John Anthony Malan. **2002 Results:** Kuzman 7,620, Roth (R) 6,355. **2004 Forecast:** Kuzman has a nuisance primary opponent. The general election race could be competitive, but we give an early edge to Kuzman. Having said that, the property tax situation and the Democratic corruption problems in East Chicago and Gary along with the challenge to Rep. Dobis next door inject an aura of volatility in Lake County. **General Status:** *LEANS D*.

House District 21: Republican: Jackie Walorski. **Democrat:** Carl Kaser. **2002 Results:** Mangus 10,722. **2004 Forecast:** The race to replace retiring Rep. Richard Mangus, R-Lakeville, is now between Republican Jackie Walorski and Democrat Carl Kaser. Republican candidate Doug Moore, an executive with WFRN radio, left the race Friday and said he would support Walorski. "It's become my conclusion that Jackie and I are too similar on the issues vital to Indiana to justify decreasing my involvement in the impact of WFRN throughout this region," Moore said (*South Bend Tribune*). Kaser, of North Liberty, entered the District 21 race on the Democratic side Friday. Kaser is a professional auctioneer and a UAW official who helped negotiate the Hummer production at the AM General plant in Mishawaka. **General Status:** *LEANS D*.

House District 26: Republican: Tippecanoe County Councilwoman Connie Basham. **Democrat:** Joe Micon. **Geography:** Lafayette, West Lafayette, Tippecanoe County. **2002 Results:** Scholer 5,630, Micon 4,731. **2004 Forecast:** Democrats believe this is one of their best chances for a pickup in the seat being vacated by Rep. Sue Scholer. Micon ran a competitive race and has good name ID in the community. Basham is a county councilwoman and already has a political organization. **Status:** *TOSSUP*.

House District 31: Republican: Tim Harris. **Democrat:** Blackford County Commissioner Larry Hile. **2002 Results:** Rep. Dean Young 9,046, Raju (D) 3,909. **2004 Forecast:** Republicans see Harris as fully capable of holding on to this open seat. **General Status:** *LEANS R*.

House District 30: Republican: John Smith. **Democrat:** State Rep. Ron Herrell.

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time it is here" says Tim Dugger, president of The Pyramids Group. "I don't think people outside of the business world realize how Indiana is looked at as almost third-world by the rest of the business community in this regard."

TAX BILL HEADS TO HOUSE: After removing \$17 million that had been included for horse breeders and Indiana's race tracks, the Indiana Senate passed a 90-page tax bill 48-0 on Tuesday. The Indiana House must now vote on whether to agree with the Senate changes to House Bill 1365, which would send the bill to Gov. Joe Kernan, or have a conference committee appointed to resolve conflicts between the House and Senate versions (Indianapolis Star). The bill would extend the state sales tax to satellite television service, exempt installation and delivery charges from the sales tax, make the research-and-development tax credit permanent, repeal the sales tax on free hotel rooms, and change how business operating losses are figured for tax purposes.

GUN BILL PASSES SENATE: The Indiana Senate approved a measure Tuesday that would shield gun owners from civil liability if their guns are stolen and then used in a crime.

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The provision in House Bill 1349 stemmed from an Allen County case where parents left a gun in a chair cushion. Their son, who had a long criminal record, took the gun and then shot and killed a law enforcement officer (Evansville Courier & Press). The officer's family sued the parents for civil damages, arguing they knew their son was a delinquent and should have secured the gun. The Indiana Supreme Court ruled the case could go forward, but the outcome still has not been decided. Sen. Robert Meeks, R-LaGrange, argued the Indiana Supreme Court went too far in allowing the case to continue and now law-abiding gun owners need protection from civil cases.

"This is an effort to put some common sense in the law and send a message to the Indiana Supreme Court," he said. Several Democrats spoke against the measure, arguing that if a case doesn't have merit, the court will throw it out. The bill passed the Senate 40-8.

WEINZAPFEL EYES DAYTON BASEBALL STADIUM: Mayor Jonathan Weinzapfel is sending a representative of Evansville to Dayton, Ohio, today to view the city's minor league baseball stadium and other economic development ventures. Joe Champion, the city's lobbyist in Indianapolis and

2002 Results: Herrell (D) 9,017, Rudolph (R) 6,966, Fridholm (L) 379. **2004 Forecast:** After weeks of remaining mum on the matter, Howard County Republicans came up with a last-minute candidate to oppose three-term incumbent Rep. Ron Herrell (*Kokomo Tribune*) in John Smith, who owns Guarantee Vacuum & Sewing Center. Smith has never run before. Herrell, who won his first race by less than 200 votes in 1998, has solidified his base since then, and won the 2002 election by more than 2,200 votes. **General Status:** *LEANS D.*

House District 33: Republican: Randolph County Assessor Noel Carpenter, Bill Davis. **Democrat:** State Rep. Ron Liggitt. **2002 Results:** Liggitt (D) 9,143, Thornburg (R) 6,895. **2004 Forecast:** Liggitt is a target of state Republicans hoping to unseat the area labor leader (Rick Yencer, *Muncie Star Press*). Portland businessman Bill Davis and Randolph County Assessor Noel Carpenter each filed for the Republican nomination to the District 33 seat. On Friday, Carpenter attempted a last-minute withdrawal from the race that had been encouraged by Republican leaders, including former State Rep. David Hoover. "Several people wanted me out of the race," Carpenter said. However, Carpenter missed the deadline to withdraw, and his name will appear on the May 4 primary ballot, according to state election officials. Liggitt may have political troubles in Randolph County, where his push for prevailing wage on the courthouse there has stopped construction in mid-project. **Primary Status:** *LEANS DAVIS; General Status:* *LEANS LIGGETT.*

House District 45: Republican: Bruce Borders **Democrat:** Rep. Allen Chowning. **2002 Results:** Chowning 9,627, Borders 9,337. **2004 Forecast:** We see this race as a potential barn burner, given its closeness in 2002 and many Democrats in the district likely to vote for President Bush. The good news for Chowning is that Sen. Bayh will be on the ticket and he always helps House Democrats. **General Status:** *TOSSUP.*

House District 56: Republican: Richard Hamm, Brian Ingermann, Ed Yanos. **Democrat:** Rep. Phil Pflum, Eric Duncan. **2002 Results:** Pflum 6,511, Hamm (R) 6,096. **2004 Forecast:** Duncan was a late filer for the Democratic primary, where he will challenge Pflum, who has been diagnosed with cancer. Duncan is a consultant living in Richmond. **Primary Status:** *Leans Yanos; General Status:* *Tossup.*

House District 62: Republican: Lawrence County Commissioner Janie Chenault, Donald O. Patton. **Democrat:** State Rep. Jerry Denbo, Karyn Moskowitz. **2002 Results:** Denbo 10,009, Patton (R) 6,339. **2004 Forecast:** Chenault will be favored in the GOP primary. Denbo is facing gambling opponent and environmentalist Moskowitz and will be the heavy favorite in the primary as well as the general. **General Status:** *LEANS D.*

House District 63: Republican: Martin County Commissioner Paul McFeaters. **Democrat:** Rep. David Crooks, Ross J. Cook. **2002 Results:** Crooks 10,984. **2004 Forecast:** Cook entered the Democratic primary but Crooks should prevail. **General Status:** *Tossup.*

House District 64: Republican: Troy Woodruff. **Democrat:** State Rep. John Frenz. **2002 Results:** Frenz 10,516, Davis (R) 8,774. **2004 Forecast:** Woodruff said he is outraged that House Speaker Pat Bauer and House Rules Committee Chairman Scott Pelath continue to refuse the full House to vote on House Senate Joint Resolution 7 to ban same-sex marriage in Indiana. "For the Democrats in the House of Representatives to blindly follow Speaker of the House Pat Bauer on this issue, is to once again turn their back on the people of SW Indiana who overwhelmingly oppose same sex marriage," Woodruff said. "What a shame it would be for the legacy of this session to be that they passed a bill regulating bull riding in bars, but did nothing to preserve the institution of marriage." **General Status:** *LEANS D.*

House District 69: Republican: Billy Bright, Ben Newell. **Democrat:** State Rep. Markt Lytle. **2002 Results:** Lytle 9,777, Newell 7,678. **2004 Forecast:** Republicans think they can pick Lytle off, but this is the kind of district where Speaker Bauer's resistance to the Defense of Marriage Act could hurt a Democrat. **General Status:** *LEANS D.*

House District 81: Republican: Open. **Democrat:** Rep. Winfield Moses Jr. **2002 Results:** Moses 4,718, Kelty 4,654. **2004 Forecast:** Kelty took a pass on this race, but could reconsider this summer. Moses was confident he could hold on to the seat, saying the only thing going for Kelty was that he had high positives. "Remember of the 34 positions on the 81st District ballot in '02, the Republicans won 33. The only loser was Kelty," Moses said. "And it

was the lowest Demo turnout in Allen County in my life time. Of course this year I have two friends to help with turnout who were not there last time, Evan and Joe..." **General Status:** *SAFE D.*

District 86: Republican: Andy Miller, Mort Large. **Democrat:** State Rep. David Orentlicher. **2002 Results:** Orentlicher 9,909, Atterholt (R) 9,872. **2004 Forecast:** Miller criticized Bauer and Orentlicher over the marriage issue. "If it's not critical, then why not allow a vote?" Miller asked. "Actually, this issue is very critical for Pat Bauer and David Orentlicher. The small group of special interests that they represent will not allow them to make this move. This is yet another example of the lack of true leadership and the reason that we need a major change in 2004." **Primary Status:** *TOSSUP*. **General Status:** *TOSSUP*

Indiana 2004 Congressional

Congressional District 1: Republican: Frank Kendrick, Cy Huerter, Mark Leyva. **Democrat:** U.S. Rep. Pete Visclosky. **Geography:** Lake, Porter, Newton, Jasper, Benton counties. **Media Market:** Chicago. **People:** 87/13% urban/rural; median income \$44,087; Poverty 10%; Race: 69.8% white, 18.2% black; 10% Hispanic; blue/white collar 31/53%; **2000 Presidential:** Gore 56%, Bush 42%; **Cook Partisan Voting Index:** D +7, **2002 Results:** Visclosky 90,443 (67%), Levya (R) 41,909 (31%). **2002 Money:** Visclosky \$755,668, Levya \$11,956. **2004 Outlook:** Former Steelheads coach and Purdue University basketball star Frank Kendrick filed Friday for the GOP nomination (*Post-Tribune*). Kendrick lives in West Lafayette but within 10 miles of the district boundaries. Residency in the district isn't required for Congressional candidates. "This campaign is about change and the quality of life in the district," Kendrick said. Visclosky is believed to have one of the most heavily Democratic districts in the country. "I know this is an uphill battle. I have nothing against Pete, but I'm up for it," Kendrick said. **Status:** *SAFE VISCLOSKY*.

Congressional District 3: Republican: U.S. Rep. Mark Souder, William Larsen. **Democrat:** Steve G. Hope, Maria Parra, Mark Summers. **Geography:** Fort Wayne, Goshen; Kosciusko, Whitley, LaGrange, Steuben, DeKalb and parts of Elkhart and Allen counties. **Media Market:** South Bend-Elkhart, Fort Wayne. **People:** Urban/rural 65/35%; median income \$44,013; Race: 87% white, 6% black, 4.5% Hispanic; Blue/white collar: 36/52% **2000 Presidential:** Bush 66%, Gore 33%. **Cook Partisan Voting Index:** R+17. **2002 results:** Souder 92,566 (63%), Ridgon 50,509 (34%). **2002 Money:** Souder \$518,717, Ridgon \$131,458. **2004 Outlook:** Souder's staff took issue with the notion that he may decide to retire in 2006 and let Matt Keltly run for the seat. Day Smith declines to run for the Democrats. **Primary and general status:** *SAFE SOUDER*.

Congressional District 6: Republican: U.S. Rep. Mike Pence. **Democrat:** Melina Ann Fox. **Geography:** Anderson, Muncie, Richmond; Wells, Adams, Blackford, Jay, Madison, Delaware, Randolph, Henry, Wayne, Rush, Fayette, Union, Decatur, Franklin, and parts of Bartholomew, Shelby, Johnson and Allen counties. **Media Market:** Indianapolis, Fort Wayne, Dayton, Cincinnati. **People:** urban/rural 59/40%; median income \$39,002; poverty 9.7%; race: 93% white, 3.8% black, 1.3% Hispanic; blue/white collar 35/49%; **2000 Presidential:** Bush 58%, Gore 40%; **Cook Partisan Voting Index:** R+10; **2002 results:** Pence 118,436 (64%), Fox 63,871. **2002 Money:** Pence \$1.2m, Fox \$342,987. **2004 Outlook:** Fox decided to make the rematch Thursday night. "I am running against Pence because his agenda is rapidly eroding the quality of life in our district," Fox said. "He has done nothing in four years to address health care costs, unfair trade practices or renewable fuels projects." Pence is championing the Defense of Marriage Act federally, but when he tried to discuss the issue in Muncie and Columbus last week, many constituents were more interested in talking about jobs, prescription drug costs and Iraq. Pence enters this rematch as a significant favorite. Fox knows that it took Pence and former U.S. Rep. Phil Sharp three times to win in this district and this will be her second challenge. If the economy bounds into recovery and jobs start popping up, Pence should be easily re-elected. **Status:** *LIKELY PENCE*. ❖

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Washington, D.C., is driving to Dayton for the economic development tour, said Weinzapfel (Evansville Courier & Press). Weinzapfel said he initially had planned to personally accept the invitation to visit the city, which came from the economic development firm, The Hokanson Group. Dayton was one of the cities former Mayor Russ Lloyd Jr. cited when he proposed a minor league stadium for Evansville. The issue became a major one in last year's mayoral campaign, with Weinzapfel criticizing Lloyd's handling of the idea and vowing not to resurrect it as mayor.

BURTON, PENCE HEADING TO IRAQ: Mike Pence is anxious to see what progress has been made in Iraq when he makes an official visit there this week (Muncie Star Press). "We will see what the nature of the threat is and how widespread the violence," said Pence, a member of the House International Relations Committee. "And we will be looking at the progress of reconstruction and what financial resources might be needed." U.S. Rep. Dan Burton, senior member of the International Relations Committee, will lead an official Congressional delegation, including Pence, to Baghdad and other cities in the Middle East. The group

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will meet with U.S. Ambassador Paul Bremer, Iraqi officials, and other military leaders and servicemen and women. "I feel very strongly that if we are to win the broader war on terror, it is of critical importance that we establish a legitimate governing body in Iraq that will operate in the true spirit of democracy, and this requires our continued military and civilian presence," Burton said in a prepared statement. Army Capt. Wes Russell of the Indiana National Guard last week offered a first-hand report on the Iraq war after returning from a 10-month tour in the first combat unit there. "We are still losing young men in battle," Russell said. While the body count is widely reported, Russell said not enough was being said about reconstruction efforts like "the electricity being turned back on."

LANANE SEEKS CPS CHANGES: As a result of the deaths last year of children in Elwood and Indianapolis under the protection of the state's Child Protection Services agency, lawmakers want to implement more checks and balances into the system (Anderson Herald-Bulletin). CPS caseworkers are facing felony charges of neglect of a dependent resulting in serious bodily injuries in Madison and Marion counties. Caseworker Mike Warrum, charged in the death of Mark Adrian Norris

PERHAPS... WE WANDER

By Brian Howey

Two decades of Evan Bayh

Say what you will about Evan Bayh and the last 20 years that some will mark up as a two-decade trek toward the White House, there are a number of indelible moments that stick out.

Like the time he led 150 state troopers into crime-torn Gary. Or his firing of Jack Crawford from the Hoosier Lottery for an extra-marital affair that splashed across the headlines. Or his suspension of the prison furlough program after a Mishawaka woman was killed by her ex-husband.

There was the deal he cut with legislative Republicans to cut the excise tax. Or chewing out the Democratic House caucus over the 1995 budget. And as a U.S. senator, he was at the helm steering his party toward the center when Howard Dean was hell-bent on "assisted suicide," as Bayh put it. Or Bayh's support of the war in Iraq in 2003.

Bayh's first moments in state and federal office were met with immediate crisis. As the newly elected Indiana secretary of state, he presided over a congressional and two legislative recounts in St. Joseph and Elkhart counties in 1987, and his rulings that ultimately favored Republicans earned him the ire of some Democratic stalwarts. His first moments in the U.S. Senate came during the impeachment trial of President Bill Clinton. Despite the president's lack of popularity at home, Bayh voted to acquit. In both instances, the notion of fairness became the hallmark.

It really began in 1984

While Evan Bayh first ran for office in 1986, he began his pursuit in 1984 when he returned to the state four years after managing the U.S. Senate campaign

which saw his father lose to Dan Quayle. He began stumping for Democratic gubernatorial nominee Wayne Townsend in '84. Within months Bayh was signalling his intent to run for secretary of state.

Watching the "Reagan Revolution" defeat Birch Bayh, the son left the liberal legacy to become a fiscal conservative.

A main aspect of Bayh has been the discipline of his team. It was always based on performance, as opposed to cult of personality. He was able to draw soft Republicans into voting for a Democrat by essentially telling them he could be trusted with their tax dollars. He ran his administrations that way and constantly conveyed that message. Performance in office was intricately tied to electability.

It has been a message somewhat muddled by his successors in the governor's office. Gov. Frank O'Bannon was not seen as a disciplinarian. When Gov. Joe Kernan made recent personnel changes at FSSA and BMV, the message wasn't that performance had suffered so heads would roll. The *Indianapolis Star* tried to coax an answer out of Kernan as to whether Gerald Coleman had been fired. Kernan would have none of it. A Gov. Bayh would have said the guy was canned. The reasons were simple: Performance in the administration is everything. None of the O'Bannon era chiefs of staff were the enforcers that Bill Moreau and Bart Peterson were.

Political promised land

The Bayh political organizations also were keenly aware of grooming public opinion. My first encounter with the Bayh campaign as a reporter for the *Elkhart Truth* in 1988 came from his campaign manager, Joe Hogsett, who called out of the blue to build a relationship. Call me directly if you need anything, Hogsett said. You don't see that kind of attention

to detail any more.

But the transformation of the Indiana Democratic Party had begun in 1984. It was on the Townsend tour that Bayh was first able to renew contacts with the beleaguered old guard chafing under the fact that they hadn't won a gubernatorial election since 1964. It was Larry Conrad who thundered at the 1986 state convention, "If not him, then who? If not now, then when?"

In 1988, Bayh took a BMV scandal and used it to make the case that 20 years of Republican rule was enough. He captured the confidence of the small town voter by raising the issue of tax breaks for the Isuzu-Subaru plant in Lafayette at a time when Americans were suspicious of a Japanese economic takeover.

That breakthrough campaign essentially caused the historic Bulen GOP machine to begin on its path of destruction. As House Speaker John Gregg would say, "Bayh was the Moses who led us to the promised land."

Spinoffs

Another hallmark of a political organization is how it spins off other officeholders. The organizations of U.S. Sens. Richard Lugar, Dan Coats and Dan Quayle were breeding grounds to allow officeholders as such as U.S. Reps. Mark Souder and David McIntosh emerge in their own right. Indianapolis Mayor Bart Peterson is the heir to Bayh's legacy in Indiana. While Peterson displays a more friendly and serene demeanor, he also has governed close to the Bayh model.

There were other Bayh stars that seemed to be headed for political careers of their own. Attorneys General Jeff Modisett and Pamela Carter won office in their own right, then left the political arena for other opportunities, which tells about the caliber of people Bayh brought in with him. Same with Supreme Court Justice Myra Selby. Hogsett and Ann DeLaney tried to win office in their own right and were defeated. Now there is Lt.

Gov. Kathy Davis.

O'Bannon actually represented a reversion to a pre-Bayh era of public service. The rhetoric of soaring budget surpluses, no tax increases and 300,000 new jobs was familiar from the stump. But the discipline within the administration wasn't what it was under Bayh. There was tangible preoccupation in the O'Bannon era of living up to the "nice guy" persona. O'Bannon eschewed the confrontational posture because his top aides felt it conflicted with his personality. In the long run, with his favorable/unfavorable ratings sagging deeply at the end of his life, some felt that those closest to him had not served his best interests.

Bayh didn't seem to care if people liked him at the Indiana Statehouse. He was more interested in respect, which can be the ultimate hallmark of power, and that power has been consistently rewarded and renewed by Indiana's conservative voters.

Bayh on the ballot

Last week, U.S. Sen. Bayh announced for his re-election. He will have only token opposition from Republicans Marvin Scott and Dwight Wilkerson. Indiana Republican Chairman Jim Kittle Jr. calls Bayh "formidable." Former chairman Mike McDaniels used to openly suggest Bayh was really a Republican. And former chairman Al Hubbard used to grouse about Bayh "stealing our ideas."

Last Thursday, Bayh said at the Mishawaka Hummer plant, "If you hire me again to represent us in the U.S. Senate, I pledge that I will work for us every day and every night to protect jobs like this. I've tried to be a voice for common sense and reason, working across the aisle to get things done on behalf of the people of our state."

Bayh will likely get more ink about his ultimate placement on John Kerry's veep short list this summer. It's been a 20-year path to get to that point. ❖

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Il last year in Elwood, is awaiting trial. State Sen. Tim Lanane, D-Anderson, is sponsor of legislation that would have required caseworkers to visit homes every 30 days instead of every 60 days and required background checks be conducted before children are placed in foster homes. Lanane said it will be difficult to get the requirement for visits every 30 days because of the state's current fiscal crisis. "I think most lawmakers believe the visits should be every 30 days," he said. "But there is a concern that the Family and Social Services Agency doesn't have the staff to do that. It does highlight the issue and has everyone thinking if there is sufficient funds to implement the change." ❖

**HPR Daily Wire
will be not
published
on Friday
and Monday**