



HOWEY

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Cherry Masters are coming (to a legislature near you)

Sen. Waltz critical; cites 'mafia ties' with video gaming

By BRIAN A. HOWEY in Indianapolis

Informed and reliable sources tell HPR that the Senate Republican caucus is now discussing legalizing video gaming devices as a biennial budget and Colts stadium component.

Sen. Brent Waltz, R-Greenwood, sent a letter to his Senate colleagues warning of the "cherry masters" as an "insidious" form of gambling that are "notorious for potential mafia ties to their operations."

In his letter, Waltz said, "With pull tabs and slot machines apparently no longer an option," the Senate is now discussing "video slot/lottery machines, otherwise known as 'cherry masters.'"

"These insidious machines can be found illegally across Indiana in various bars and taverns. They are the 21st Century equivalent to the backroom gambling halls of the 1930s. They are unregulated, unaccounted for taxes, and notorious for potential mafia ties to their operations. Bar owners can make more money on cherry masters in a month than they can legally operating their bars for an entire year.

"It has been long rumored that some in the legislature seek to legalize these machines, essentially making every liquor license holder a mini-casino. In the two counties I represent, Marion and Johnson, citizens would be confronted with 961 mini-casinos. They would be located near churches, schools, libraries, and access to them would be as easy as buying a lottery ticket. Such a measure would be the greatest single expansion of gambling in Indiana history.

"Many of us representing Marion County in the legislature have expressed grave concern about a potential downtown casino. As unthinkable as flashing neon casino lights in the heart of Indianapolis is, imagine going to your local Applebee's and spending your weekend gambling. This is absolutely unacceptable."



Sen. Waltz

The gaming disconnect

There has been a fascinating disconnect between the rhetoric of legislators, what is and has been occurring in their districts, and the conduct of local units of gov-



"It made it rather frustrating dealing with IDEM a lot of the time. It was difficult to have a discussion with the commissioner directly."

— Brian Wright of the Hoosier Environmental Council, on too many lawyers at IDEM, *Indianapolis Star*

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Covering a Decade of Indiana Politics



ernment when it comes to gambling in Indiana.

The Indiana General Assembly and past Govs. Frank O'Bannon and Joe Kernan were the most steadfast opponents of the "expansion of gambling." Local mayors, city and county councilmen and county commissioners have been far less vocal in opposition to gaming. Part of the reason is they enjoyed the Build Indiana Funds that came from the Hoosier Lottery, and many envy the cities and counties that get riverboat casino profits. Some, like then-Lafayette Mayor Dave Heath, who now heads the Indiana Excise Police, told HPR in the past they desired "revenue sharing" for interior Hoosier counties and cities without access to the riverboat profits.

Yet even as those "against the expansion of gambling" words continually passed through their lips, the expansion had been well underway for years in the form of not only internet gaming, but the video poker machines. And in many counties, prosecutors, many of them in the same Republican party where local legislators were standing firm against the expansion of gambling, were keeping a hands-off policy on prosecuting illegal behavior. These grandstanding legislators either didn't know what was happening in their own communities, or were simply looking the other way to avoid alienating local businessmen and voters.

Former legislator Markt Lytle told the *Louisville Courier-Journal* in February he estimated as many as 15,000 video poker or "cherry master" games around the state.

Michael Curts, executive director of the Indiana Licensed Beverage Association, told the *Courier-Journal* that "70 percent of Indiana's bars and taverns have illegal machines." A study on behalf of the ILBA concluded that if half the state's bars and restaurants had five machines, more than \$957 million would be wagered, and with a 40 percent tax rate, state and local governments could reap \$382 million annually. Retailers would get an estimated \$574 million.

"There is electronic gambling going on now, and it's illegal," Curts said. "We're saying: Let's legalize it. The state would be monitoring and taxing what's going on now."

The *Muncie Star Press* reported on the curious case of former Teamster boss John Neal. The FBI told the *Star Press* that Neal and his family owned more than 230 machines at 65 locations in East Central Indiana. After years of investigation, federal agents raided Neal's Yorktown-area home in 1996, seizing nearly \$1 million in cash. Neal pleaded guilty in December 2000 to illegal gambling, income tax evasion and money laundering. He was sentenced to 42 months in prison.

The *Star Press* reported a business in Muncie called "Pizza Ante" opened, featuring the Cherry Delight machines. "The pizza and gambling parlor also has the distinction of

being a business enterprise with connections to John Neal," the *Star Press* reported.

A typical response to this came from Delaware County Prosecutor Richard Reed, who told the *Star Press* he had a "hands off" approach to illegal gambling. "It's still not a priority, and I'm not going to spend a lot of resources on it."

Legislators mute on local inaction

While legislators such as former Senate Finance Chairman Larry Borst (who Waltz defeated in May 2004) and Senate President Robert D. Garton demonized the "gamers in the halls" at the Statehouse and Indiana's faltering horse racing industry, virtually no one was uttering a peep of protest about the proliferation of cherry masters, video poker, or even the Hoosier Lottery's placement of 650 pull tab vending machines in grocery stores, gas stations, truck stops and other places where people (including minors) go for reasons other than to gamble.

HPR cannot recall a single instance when an anti-gaming legislator denounced local prosecutors, the Indiana Excise Police, or restaurants and taverns who possessed the illegal devices or who refused to act on enforcing laws. And other than the *Muncie Star Press*, there has been virtually no media coverage or official investigations into who is supplying the video gambling devices and, other than John Neal, whether there are ties to organized crime.

There have been some localities that have taken a stand. The Marion County Alcoholic Beverage Commission took an official "three strikes" stance against local establishments with gaming machines several years ago. The American Legion Hall in Broad Ripple almost lost its three-way liquor license for violating that dict, and stayed open only after prominent Republicans came to its rescue. HPR has witnessed a number of machines at local bars operating in the open.

Elkhart County, with its strong evangelical Christian community (and one of the only counties to vote against the 1988 lottery referendum) is another place where prosecutors have enforced the law. The most prominent crackdown reported occurred just before Casino Aztar opened in Evansville back in the mid-1990s. Local police raided several nearby taverns for the video gambling machines, almost certainly at the behest of the new casino operators.

But legislators have shown a willingness to discuss the issue. "The governor is looking at raising money, and this would do it and not expand gambling," State Rep. Tiny Adams was quoted in the *Star Press*. Adams estimated that 7,000 Indiana businesses have video gambling machines. For many small bars and taverns, revenue from the machines is sorely



needed, he said. "Almost everyplace has the machines," Adams said. "That's the only way they can survive."

While the Cherry Masters present a potential lucrative option for tax-starved, tax-fearing legislators, the fact that 5,711 establishments holding three-way liquor licenses and each having five poker machines would mean 28,555, with no clear recognition as to where they come from and whether there are ties to organized crime.

The fact that there has been no committee hearings on the subject is not only surprising, but will certainly catch the attention of the FBI.

Questions, questions, questions

So far, Gov. Daniels' stance has been one of "looking at all the options." But would a governor who has just heralded the codification of an inspector general bill, dare risk associating himself with such a murky, unqualified commodity?

Will Senate President Garton sign off on what Waltz calls thousands of "mini-casinos" in every Hoosier neighborhood? Or will Speaker Bosma, who pushed to save the innocence of Indianapolis from the diabolical threat of one downtown casino? Will the idea of 28,555 legal gaming sites be better for stakes-loving Hoosiers than two?

If the answer is no, then at what point does Excise Police Chief Dave Heath and county prosecutors actually begin to enforce the law?

Even more profound, how will these leaders justify starving the legal, highly-regulated horse racing industry that pumps \$400 million annually into the Indiana economy, while opting to reward a shadowy, illegal enterprise that flouted the law for years?

These are all fascinating questions that will soon be begging answers from the Indiana Republican Party, keen protector of the notion "rule of law."



Chief Justice Shepard will keynote 2005 HPR Forum

A comprehensive look at constitutional, reform issues

INDIANAPOLIS - Indiana Supreme Court Justice Randall Shepard will keynote the 2005 HPR Forum Series on constitutional issues facing the state.

The HPR Forum will take place from 8 a.m. to 3 p.m. Tuesday, Oct. 4, at the downtown Indianapolis Hilton Hotel. It will feature the theme of "21st Century Indiana: Government Reform, Restructuring and a Constitutional Convention."

With controversial amendments such as the one under debate in the Indiana General Assembly on marriage, and the viability of the state's 1851 Constitution questioned for the 21st Century, Shepard has agreed to share his thoughts.

"Chief Justice Shepard not only leads Indiana's judiciary, but as we learned at Gov. Robert Orr's funeral, he is an ardent student of its history," said HPR Publisher Brian A. Howey. "We've asked the Chief Justice to share his unique perspectives on constitutional issues facing our state."



Chief Justice Shepard

Howey noted that in addition to the proposed marriage amendment, there have been others in recent years that moved the clerk of courts from an elected position to an appointed one. Both Gov. Joe Kernan and Gov. Mitch Daniels endorsed the idea of an appointed superintendent of public instruction. Gov. Daniels is open to the idea of a Constitutional Convention (*See page 6*).

And there are government consolidation and streamlining efforts under way in Indianapolis, Fort Wayne/Allen County, Evansville/Vanderburgh County, Muncie/Delaware County and in Lake County.

"The idea of government reform and restructuring is an idea that has recognized its time has come," Howey said. "When I first broached the idea of a constitutional convention in the summer of 2002, some people thought I was crazy. Now more and more people are expressing a willingness to further explore the idea."

Howey said the goal of the 2005 HPR Forum will be to bring together leaders of all three branches of state government, as well as mayors and county officials, essentially initiating the first major public policy forum on these timely and profound issues.

The HPR Forum will be sponsored by BoseTreacy Associates, DLZ, and Indianapolis Eye Magazine. Other sponsorships are available by contacting Howey.

Watch for registration and Continuing Legal Education information later this spring in HPR editions. ❖



A 98-0 victory for Daniels, but there's a power struggle

Battle of the budget just over the horizon

By BRIAN A. HOWEY

INDIANAPOLIS -- Almost two weeks had passed since chaos reined in the Animal House ... er ... the Indiana House of Representatives.

On Tuesday, there was a 98-0 passage of one of Gov. Mitch Daniels' most coveted reforms: the inspector general bill. It was an issue he talked about as he toured the state for 16 months.

"The inspector general, everywhere one exists, pays for itself over and over and over again," Daniels said late Tuesday afternoon. "That'll be the case here. It's absolutely a good investment of resources. I just think it's a great day, a great result. It's the way the process ought to work."

It wasn't a decisive issue in the 2004 campaign, though it was one of the themes Daniels used to defeat Gov. Joe Kernan. But it will be one of the larger "re-elect Daniels" themes in 2008. It stands to become a barrier or buffer to corruption in state government, which is perhaps the only way an incumbent governor can get beat in Indiana.

The big compromise occurred early this week, giving the attorney general power to prosecute governmental crimes.

Speaker Brian Bosma told the *Fort Wayne Journal Gazette* that the change made "good legislation better." And if the bill passes, it will be a significant victory for Gov. Daniels. "The speaker is to be commended for taking this portion and eliminating the certainty of a direct connection between the governor prosecuting people," said Rep. Win Moses Jr., D-Fort Wayne. "That makes the separation of powers null and void. That's an immense movement forward."

What followed was the 98-0 vote on one of the key issues that prompted the Democrats to walk out, killing 132 bills. Whether they were motivated by flexing their minority muscle, were heartened by the changes, or simply realized they were taking a public opinion pounding after the walkout is left to interpretation.

Daniels stroked legislative leaders at the Indiana Association of Cities and Towns luncheon Wednesday. "I can't say enough about Brian Bosma, Bob Garton and Pat Bauer for moving as fast as they did," the governor cooed.

He was quick to note that on Thursday, the first meeting of the Indiana Economic Development Corporation would take place -- the first major Daniels-Skillman victory. It comes a day after General Electric in Bloomington announced 470 layoffs, suggesting Indiana still isn't out of the woods on the bleeding of manufacturing jobs (*Bloomington Herald-Times*). Daniels promised the scores of mayors at IACT that "over the next few months" there would be "major announcements" on the jobs front. He hinted that Marion, whose plight was featured prominently in his Election Night victory speech, was in for more good news.

Despite the accolades and good cheer

Wednesday, make no mistake: there was a supreme power struggle going on that, once fully comprehended, stands to rattle the windows at the Statehouse.

Garton, Bosma and Bauer gave Daniels the IEDC

and the IG, the latter coming with considerable pain. But this was the same coterie that essentially killed another Daniels dream: Daylight-Saving Time. While Garton talked about being on the same page during the 2004 campaign, the reality is that the Senate president pro tempore is positioned as the biggest anti-change force at the Statehouse.

If the plaintive Democratic wails from Democrats over the IG and voter ID bill weren't disturbing enough, everything will pale when it comes to

the budget struggle among Daniels, Garton, Bauer and Bosma in the final month.

For Democrats, the rub will come with education funding. Sen. Vi Simpson is expected to step forward today and insist that the new school funding formula will force urban and rural schools districts "to dramatically increase local property taxes to make up the difference."

For Garton and Bosma, the rub will be a truly balanced budget, gaming and taxes. Bosma and House Republicans will try to do everything they can to resist both gaming and a tax hike. Garton, who is still chafing over Republican Senate bills that were killed during the 2004 House marriage walkout, appears to realize that some kind of tax hike is inevitable and will try and spike gaming. On Tuesday, Senate Republicans actually pondered raiding river county casino tax revenues (*see page 8*). How either Garton or Bosma could sign off on the legalization of Cherry Delights without betraying their own past rhetoric will be interesting.

Our analysis: Somewhere, sometime, it still comes down to higher taxes, or gaming. Or, more likely than not, a special session. ❖



Sen. Bob Garton and Speaker Brian Bosma are playing a tug-o-war with their Republican governor. (HPR Photo by Brian A. Howey)



More Demo leadership pain

Can Stig get a quorum now?

By BRIAN A. HOWEY

INDIANAPOLIS - The Ides of March brought further intrigue into the Indiana Democratic Party dysfunctional family.

There is the case involving former Lake County Chairman Stephen Stiglich, who couldn't muster a quorum on March 5 but will get another chance sometime in April.

Then, this past week, the 6th CD was thrown into turmoil after Delaware County Chairman Dennis Tyler called on Indiana Democratic Chairman Dan Parker to void last Saturday's vote and hold another election.

Parker portrays himself as a referee sans zebra shirt. Former 6th CD candidate Mel Fox sees him as a meddler.

Lake County update

When we last left the Indiana Democratic Central Committee, they had decided to give Stiglich another chance. Many members felt it would be improper for downstaters to "impose" a new chairman on fratricidal Lake County. Such an imposed chairman might be eaten alive (or, perhaps, disappear into a U.S. Steel smelt furnace).

But our Lake County sources tell us that Stiglich getting a quorum at a yet-to-be-scheduled April caucus is no sure thing. The Highland faction led by Surveyor George Van Til sat out the March 5 debacle. When Stig's election was voided by Parker, there were some courting former District Attorney Jon DeGuilio, and black Democrats quickly were aroused and were demanding one of their own. It was U.S. Rep. Pete Visclosky who stepped in to give Stig a reprieve, sensing something shaping up akin to Belfast or Beirut.

Right now a safe bet is that Stiglich will round up about 40 drivers and do what a chairman should do, which is to count heads and know what the vote is going to be before it takes place. But he has to have a quorum for what would then be a fairly easy victory. How many Lake County Democrats will vote with their butts remains to be seen.

6th CD

Last Saturday, Chairman Tim Southworth and Vice Chair Melina Fox were re-elected by a 17-11 vote. Southworth of Jay County was opposed by Victoria Rose, a stalwart Delaware County partisan.

But before the vote was taken, Tyler demanded a secret ballot and was denied. Southworth cited a party bylaw

that prohibits secret ballots and conducted the election. But Tyler cited another bylaw that allows a secret ballot if three members of the committee make the request. That prompted Tyler, his vice chair Marge Landers and Henry County Chairman Steve Clark to appeal to Parker, saying the election was improper.

A key complaint against Southworth is that he failed to call a single meeting during the 2004 election year. And at last June's Indiana Democratic Convention, both Southworth



Mex Fox (left) with James Carville and Mary Matalan in 2004. (HPR Photo)

and Fox were defeated as national convention delegates.

Indiana Democratic Party Chairman Dan Parker said Tyler filed a challenge this week with the

state Democratic committee, citing another party bylaw allowing a secret ballot if three members of any party committee make the request subject to the vote. "Only the state committee can determine if our rules have been violated," said Parker (Rick Yencer, *Muncie Star Press*).

In an e-mail on Tuesday, Fox told *HPR*, "Our family chose the Democratic Party as one of the vehicles for helping others. Today, I am questioning my years of service and financial support to it. At the DNC in Boston, I was told that there was a so-called 'hit list' for certain district chairs and vice chairs to be 'taken off' the State Committee. Many of us were very concerned about such a mission of vindictiveness."

Fox said she asked Parker about the "hit list" and "he assured her that it was not true and would never happen."

But, Fox said, "Tim and I found out that the past few weeks, Dan was helping Dennis Tyler place pressure on local chairs and vice-chairs to vote for Victoria Rose over Tim Southworth. Needless to say, they were upset. It is an insult to their intelligence that our state chair knows who is best to lead the 6th District."

Parker told the *Star Press* he was not going to respond to Fox's "rhetoric," however he pointed out the 6th District committee never met in 2004, another violation of party rules. "This is all about the direction the district has taken, and now it is turned into personal issues," Parker said.

A determination on the 6th CD election will be made this Saturday. ❖



Gov. Daniels, Mayor Morris and the Indiana Con-Con

By BRIAN A. HOWEY

INDIANAPOLIS -- At Tuesday's legislative luncheon at the Indiana Association of Cities and Towns, with House Speaker Brian Bosma and dozens of other legislators seated in the audience, LaPorte Mayor Lee Morris rose and made this observation, and asked these questions of the keynote speaker, Gov. Mitch Daniels:

"You're doing a fantastic job of taking a fresh look at how state government is organized and how you're using taxpayers' dollars," Morris began. "Is it time for us to take a much more serious look at the organization, structure and funding of local government? There have been a number of proposals over the years and they never seem to get anywhere. We're basically still organized about 1851 in terms of local government. Is it time to take a serious look at the organization and funding of local government?"



Gov. Daniels' short answer was, "yes."

And here is how he fully answered the question: "I would extend this to schools as well. We have an awful lot of lines that don't make sense any more. There are a lot of tax dollars being spent that don't improve services, business or education. The answer is yes. We'll have to work on this from both ends. It will take some time before there is the wisdom, and the political will to reform systems this embedded, established, and comfortable top down."

Gov. Daniels continued, "I have said for a long time there has to be a set of fundamental changes coming to the State of Indiana. If state government was in good shape, we wouldn't need reform for our institutions. This ought to be the thing we are working on. It will have to be a back burner issue while we get on top of the (economic) issues I described earlier. But it's not too soon to be talking about it."

And Daniels concluded by saying, "I want to salute those -- and many of them are in the room -- who have begun the statewide conversation we ought to have. We ought to learn more about this. We ought to see what things might be rationalized. I wouldn't presume to know what the exact end point ought to be. I want to encourage everyone possible in local government to step forward. Maybe we can find a way. It's not too soon for two civil governments, or two school boards, coming together, because instantly, there are going to be savings."

"There's a real opportunity for statesmanship."

It was interesting to watch some of the side glances being cast by legislators in the room. They and their leaders, who have mastered the current system, have found change a difficult concept to embrace. Daniels and the various mayors and city councilmen in the room are more receptive, in part due to the budget constraints they feel as executives.

While there are a number of consolidation studies under way (Indianapolis, Fort Wayne, Evansville, Lake County) the concept is foreign concept for many. Only a few legislators, notably State Sen. Murray Clark and State Rep. Luke Messer, have endorsed the most comprehensive proposal: that of a Constitutional Convention.

Messer knows that the idea is seeping toward the grassroots, when, as executive director of the Indiana Republican Party, he found more and more people asking the same things that Mayor Morris did during the summer 2003 town hall meetings the party conducted around the state.

Of the dozen or so reporters covering Wednesday's IACT event, only one, the *Louisville Courier-Journal's* Leslie Stedman Weidenbener, even wrote about the Morris-Daniels exchange.

But if you need further evidence at where this issue is percolating, look no further than today's editions of the *Lafayette Journal & Courier*. There you can find a discussion among the various Tippecanoe County school corporations, some of which are closing schools, while other overcrowded suburban areas are building them.

The Tippecanoe School Corporation board adopted a resolution expressing their interest in discussing a consolidated public school district for the county. Lafayette School Corp. Supt. Ed Eiler said he thinks TSC's official statement is a step in the right direction. "For a number of reasons, we need to have this conversation," Eiler said, explaining he would like to see the Lafayette school board adopt a similar resolution. "I'm appreciative of TSC's willingness to take the lead."

Prior to the Daniels speech, State Rep. Phil Hinkle, the Indianapolis Republican blocking Mayor Bart Peterson's "Indianapolis Works" consolidation plan, approached WTHR-TV's Kevin Rader and said he had gone up to Gov. Daniels to "introduce myself. Did you see it? Did your cameraman get it?"

Last week Hinkle solemnly declared he was for "fiscally sound consolidation."

Daniels has urged "statemanship" from the GOP on Indianapolis Works, which has been endorsed by U.S. Sen. Dick Lugar, and former mayors Bill Hudnut and Stephen Goldsmith. "My message to my party is: (Peterson) wants to be accountable," said Daniels. "He thinks he can get \$35 million. What Republican wouldn't like to see that?"

One thing was clear at IACT on Wednesday: There's a discernable difference between hotdogs and statesmen. ❖



Jerry Davich, *Times of Northwest Indiana* - He's dead now. I'm talking about Donald Ray Wallace, who was scheduled for execution at midnight, barring any 11th-hour appeals. Sentenced to death for the 1980 murders of an Evansville family, Wallace was one of eight Indiana inmates facing execution in 2005. It's a busy year for state-sanctioned killing, and for first-year governor Mitch Daniels, who could interrupt the procession at any time. Should he? Should we as a society? One of my first newspaper stories, back in 1997, was covering the execution of convicted murderer Gary Burris, sentenced to death for shooting a cab driver in 1980. Outside the Indiana State Prison in Michigan City that night, protesters stood alongside capital punishment supporters in the freezing cold. I'm sure a similar scenario took place late last night leading up to Wallace's execution. That night eight years ago opened my eyes to both sides of this hot-button issue. It also hoisted me atop the fence of indecision. I've been up here ever since. ❖

Pete Chalos, *Terre Haute Tribune-Star* - Someone can understand how to do something right without understanding why he has to do it that way, but it takes someone with a greater understanding of the dynamics of the game to be a leader. In the world of competition, there is a great deal of difference between a player who can simply execute a technique well and a player who understands the fundamentals of the game well enough to adapt to every situation, lead others and train new recruits. In my analysis, I believe that those who know the "how" and "why" tend to win. This is because they fully understand the activity that they are engaged in and they understand how to achieve success in that activity regardless of the situation or competition involved. These individuals are like race-car drivers who are also mechanics. They know how to take sharp curves at high speeds but they also know why they have to take a certain curve at a certain speed. This is because they are aware of the structural stability issues involved with the automobile, the pressure on the tires, the weight ratios and the capabilities of the engine. They know what works in that situation and they know how and why it works. Last Saturday at 9 a.m., in VFW Post 972, the Vigo County Democrat Party had its election for party officers. Running for his third term as party chairman was Joe Etling. Joe is someone who not only understands how to run a campaign the right way, he also understands why and how strategies are to be implemented. He has had a great measure of success and the party has had a great record under his leadership. It's clear to me why he was elected to a third term (unopposed). Joe Etling does the right things and for the right reasons. ❖

Jack Smith, *Tidings Online* - Though still smarting from his recent defeat as a candidate for chairman of the Democratic National Committee, former U.S. Rep. Timothy Roemer of Indiana said the related debate about the place pro-life Democrats have in the party has led to "more progress in the last 30 days on the issue of abortion than in the last 30 years." In a March 12 address at the Jesuit-run University of San Francisco, Roemer, a Catholic, also said the time has come for a new doctrine of faith and public service to guide Catholic politicians, setting aside those set by President Kennedy in the 1960s and former New York Gov. Mario Cuomo in the 1980s. "It is time for a new doctrine to guide Catholic politicians," Roemer said. The Kennedy approach "built a wall between Catholics and public expression," he said, while the Cuomo doctrine "is no longer adequate to the momentous decisions our nation faces in this century of abortion, euthanasia, human cloning, drug addiction, poverty, terrorism, climate change and others. One only has to say 'I'm personally opposed to poverty, but ...' to understand the dangers and difficulties if this mantra for so many Catholic politicians in the public square continues," he said. "Faith has a complex, but ... firmly complementary relationship to rational decision-making." In articulating his new vision for the party, Roemer said Democrats should be able to agree not to "tolerate a situation where the number of abortions in this country each year exceeds the number of people killed due to war and terrorism." ❖

Sylvia Smith, *Fort Wayne Journal Gazette* - The House voted last week to spend \$284 billion over the next six years on road projects. Such a neat, clean sentence belies its sleazy, closed-door, deal-making roots. Lawmaking is never tidy; that adage about weak stomachs avoiding a too-close look at sausage-making and law-making is true. But this bill set records. No one – legislators' offices, journalists who have covered these sorts of bills for years and even lobbyists whose job brings them much closer to the inner workings of transportation legislation – remembers a more secretive process. The chairman of the committee, Republican Don Young of Alaska, lived up to his reputation for imperialism. Even members of his own committee were kept largely in the dark as Young tinkered with formulas and projects. The bill that was finally put before the House members for a vote Thursday may or may not be a good policy. But if it is, it's only by happenstance. Decisions were made not based on what are the country's biggest transportation needs. I mean, really: Can anyone say upgrading the streetlights in Muncie is at the same level of importance as getting the Interstate 69 link between Indianapolis and Evansville? ❖



Souder one of two votes to oppose torture ban

WASHINGTON - The House voted Wednesday to ban the use of federal money to transfer terror suspects to countries that are believed to torture prisoners, a practice that has drawn fierce criticism of the Bush administration (Associated Press). The largely symbolic amendment reaffirms a 1994 treaty barring torture of detainees in American custody, whether in the United States or in countries known for human rights violations. The measure was approved 420-2 as part of an \$81.4 billion emergency spending package for combat and reconstruction in Iraq and Afghanistan. Voting against the amendment were Republican Reps. Robin Hayes of North Carolina and Mark Souder of Indiana.



Curley says Visclosky ignoring Lake County GOP

MERRILLVILLE - Winfield Township Trustee John B. Curley sent a letter to U.S. Rep. Pete Visclosky, D-Ind., chastising him for not including Republicans in the planning of his Good Government Initiative (*Times of Northwest Indiana*). In the letter, dated Wednesday, Curley stated: "There are 72 elected Republican officials in Lake County and in the 2004 general election, 69,457 Lake County residents voted Republican. By not inviting Republican officials to participate in your Good Government Initiative planning, you are overlooking a vast population of citizens." Visclosky's communications director, Justin Kitsch, said anyone who wants to come to the planning sessions is welcome.

Bauer has part of colon removed

INDIANAPOLIS - House Minority Leader B. Patrick Bauer, who is recovering from surgery to remove part of his colon, hopes to return to the General Assembly next week. The South Bend Democrat said in a statement that he recently was released from the hospital after surgery to stop internal bleeding, caused by diverticulitis, in his colon. He thanked fellow lawmakers and Hoosiers for their concern and prayers. He also said he has been in "constant communication" with House Democratic leadership during his absence. "I look forward to returning to the House as soon as I can," he said in the statement.

Greg Pence Leaving IDEM

INDIANAPOLIS - The Indiana Department of Environmental Management's deputy commissioner said Wednesday he is leaving after 21/2 months on the job because he has done all he can to streamline the agency (*Indianapolis Star*). Greg Pence, former chief executive officer of Columbus-based Kiel Bros. Oil Co., became the agency's second-in-command in January. "I am the spare groom at the wedding," Pence, brother of U.S. Rep. Mike Pence, R-Ind., said Wednesday in explaining that he was no longer needed at the agency. "I would be a bottleneck." Brian Wright, coal policy adviser at the Hoosier Environmental Council, agreed there were too many layers of management between assistant commissioners and former Commissioner Lori Kaplan. "It made it rather frustrating dealing with IDEM a lot of the time," he said. "It was difficult to have a discussion with the commissioner directly."

Senators eye casino pots of gold

INDIANAPOLIS - Harrison County would lose \$19million a year in annual casino-tax revenue — about 80percent of its take from Caesars admission and wagering taxes — under a plan that a senator said Republicans had reviewed privately this week (*Louisville Courier-Journal*). The proposal — which would generate \$75million a year for the state by taking it away from governments in six of the state's seven casino counties — was among several ideas the Senate's budget leader presented to the Republican caucus Tuesday, said Sen. Johnny Nugent, R-Lawrenceburg. "Nothing has been decided," said Nugent. "It's not anything but an idea at this point." But Senate Minority Leader Richard Young, D-Milltown, said yesterday the proposal is a bad idea and shouldn't be considered at all. Communities in Dearborn County would lose about \$26.6million, those in Ohio County more than \$5.8million, and Switzerland County nearly \$6million. "Basically, this is stealing from these counties," said Young, whose district includes Caesars, which is in Harrison County near Floyd County. Chairman Bob Meeks, who Nugent said presented the budget ideas to the caucus this week, was not available yesterday. Neither was Senate Tax and Fiscal Policy Chairman Luke Kenley, R-Noblesville. But Meeks, R-Lagrange, said last week that he is considering revenue-raising measures to eliminate delayed payments to schools, universities and local governments and to provide additional money for Medicaid and public education. He declined then to say what proposals he is considering. Yesterday, Nugent said the options Meeks presented included other gambling-related proposals, but Nugent did not provide details. ❖