



# 2006 Primary Elections

## State of Ohio

### League of Women Voters of Ohio

#### Education Fund

The League of Women Voters of Ohio, founded in 1920, is a non-partisan political organization that encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. Complementing it is the League of Women Voters of Ohio Education Fund that provides nonpartisan information and educational services to citizens.

Prior to each state and national election, the League of Women Voters of Ohio Education Fund provides nonpartisan information on candidates and issues to its local Leagues. This information is used in Voter Guides, which are distributed by local Leagues throughout the state.

All statewide candidates who filed their intent to run for office with the Ohio Secretary of State were sent one question relating to the office they were seeking, as well as instructions on how to complete the candidate questionnaire. *The League does not alter, edit, correct, or evaluate any candidate's reply, and each candidate is solely responsible for the accuracy and truth of his or her statements. Each candidate is advised in writing to carefully note the word limitations listed on their questionnaire since no text beyond the word limit will be included.*

A candidate's answers are accepted and printed only with the understanding that the material will not be used in any way that may be deemed to be an endorsement by the League of his or her candidacy or views.

Prepared by the League of Women Voters of Ohio Education Fund  
17 South High Street, Suite 650  
Columbus, Ohio 43215  
614-469-1505 877- LWV-OHIO (598-6446)  
Please visit our website: [www.lwvohio.org](http://www.lwvohio.org)

# **Candidates for Governor**

**Republicans: J. Kenneth Blackwell, Jim Petro**

***Question for the Candidates for Governor: What will you do as Governor to improve the economy of Ohio? Specifically, to attract new business to Ohio and to keep college graduates from leaving the state?***

## **J. Kenneth Blackwell - R**

*No Response from Candidate*

**J. Kenneth Blackwell's running mate for Lieutenant Governor is Thomas Raga.**

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## **James Michael (Jim) Petro - R**

1933 Lakeshore Drive  
Columbus, OH 43204

My plan for economic recovery will create jobs, spearhead economic development and make Ohio attractive for businesses to locate here. It involves reorganizing Ohio's executive branch and higher education system to save more than \$1 billion annually, which I would use to fund tax relief and education reform.

Specifically, I would redirect \$600 million of these savings to tax relief for Ohio families and I would flatten the personal income tax to be competitive with neighboring states.

And, because competing in the New Economy will require Ohio to be a leader in developing and retaining a highly-skilled, highly-educated workforce, I would allocate \$600 million to tuition buy-downs for college students. These buy-downs would result in a 33% reduction in public college tuitions.

As we become more competitive, both in terms of our workforce and our tax code, we will stimulate the economy, create jobs and lead Ohio back to prosperity.

EDUCATION: Brooklyn High School (1966); Denison University, BA (1970); Case Western Reserve University, School of Law, JD (1973).

OCCUPATION: Ohio Attorney General

TRAINING AND EXPERIENCE: With every public office, I have made significant reforms to make each office work cheaper, better and faster. I believe that this experience makes me the strongest gubernatorial candidate.

**Jim Petro's running mate for Lieutenant Governor is Joy Padgett.**

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# **Candidates for Governor**

## **Democrats: Bryan E. Flannery, Ted Strickland**

***Question for Candidates for Governor: What will you do as Governor to improve the economy of Ohio? Specifically, to attract new business to Ohio and to keep college graduates from leaving the state?***

### **Bryan E. Flannery - D**

20169 Bradgate Lane  
Strongsville, OH 44149

Our system of public school funding is unconstitutional. I have been the ONLY person in the State of Ohio to tackle this crisis. As a result, I have the only solution that works and has received positive reviews. It will require the state to finally define a good education on paper and pay the costs.

I believe our citizens, farms and businesses need significant property tax relief to stem the tide of record property foreclosures and bankruptcies in Ohio. Through changes in the funding of our schools and identifying savings in the system, I will reduce the tax burden and make Ohio more a more attractive option for families and business.

For too long, Ohio has been run by career politicians with no direction or purpose. I am prepared to lead on day one to address our most pressing problems with practical ideas that work.

EDUCATION, OCCUPATION, TRAINING AND EXPERIENCE: Bryan Flannery is a graduate of the University of Notre Dame. He is an Administrative Consultant and served two terms in the Ohio house of Representatives.

**Bryan Flannery's running mate for Lieutenant Governor is Frank Stams.**

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### **Ted Strickland - D**

320 North Market Street  
Lisbon, Ohio 44432

The Strickland/Fisher Turnaround Ohio plan will create and keep jobs in Ohio by investing in Ohio's strengths, such as energy production and entrepreneurship, while bringing to Ohio the jobs of the future by making sure that we have the most educated workforce possible. We know that healthy, happy children are able to learn; that good learners in effective schools become educated students ready to contribute as workers; that able workers stay where there are worthy opportunities. We know that when good jobs are performed well, for fair pay, we start a cycle of success that builds its own momentum, creating opportunities for new investment, a growing tax base, and stable families -- everything Ohio has been losing for almost two decades. You can learn more about the specific proposals in the Strickland/Fisher Turnaround Ohio plan at [tedstrickland.com](http://tedstrickland.com).

EDUCATION: B.A. in History, Masters of Divinity, PhD in Counseling Psychology  
 OCCUPATION: Minister, Psychologist, Professor, Member of U.S. House of Representatives  
 TRAINING AND EXPERIENCE: Director of a Methodist children's home, assistant professor of psychology at Shawnee State University, consulting psychologist at the Southern Ohio Correctional Facility. Represented Ohio's 6<sup>th</sup> Congressional District for 6 terms.

**Ted Strickland's running mate for Lieutenant Governor is Lee Fisher.**

## **Candidates for Lieutenant Governor**

**Republicans: Thomas Raga, Joy Padgett**

***Question for the Candidates for Lieutenant Governor: Given that school funding in Ohio has been ruled unconstitutional, what measures will you propose to provide the necessary resources to public school systems to ensure students' success?***

**Thomas Raga - R**

*No Response from Candidate*

**Thomas Raga is the running mate of J. Kenneth Blackwell.**

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**Joy Padgett - R**

871 Walnut Street

As the Senate Education Chairman, my priorities have been to improve test scores, increase student access to technology and bring accountability to our education system. And we have achieved results in each of these areas. Ohio now leads the nation in providing funding for new school facilities.

But we must build on these results. I believe we can increase student performance by creating a premier kindergarten and early childhood development program to give all Ohio parents the option of sending their three and four-year olds to a world-class pre-kindergarten program.

We also must continue to close the gaps between property-rich and property-poor school districts. I believe that a strong local and state economy is critical in building a tax base that can support schools and other local needs, and that is why the Petro-Padgett plan to reshape Ohio offers so much hope for our local schools.

EDUCATION: B.S., Education, Kent State University

OCCUPATION: Ohio State Senator, 20<sup>th</sup> District

TRAINING AND EXPERIENCE: My experience as a public school teacher, small business owner, legislator and head of Ohio's Office of Appalachia uniquely qualify me to serve as Ohio's next Lieutenant Governor and help deliver on Jim Petro's agenda to reshape Ohio.

**Joy Padgett is the running mate of Jim Petro.**

# **Candidates for Lieutenant Governor**

## **Democrats: Frank Stams, Lee Fisher**

***Question for the Candidates for Lieutenant Governor: Given that school funding in Ohio has been ruled unconstitutional, what measures will you propose to provide the necessary resources to public school systems to ensure students' success?***

### **Frank Stams - D**

3376 Symphony Street  
Cuyahoga Falls, OH 44223

Our system of public school funding is unconstitutional. Bryan and I are the only candidates in the State of Ohio to tackle this crisis. As a result, we have the only solution that works and has received positive reviews. It will require the state to finally define a good education on paper and pay the costs. For too long, Ohio has been run by career politicians with no direction or purpose. We are prepared to lead on day one to address our most pressing problems with practical ideas proven to work.

EDUCATION, OCCUPATION, TRAINING AND EXPERIENCE: Frank Stams is a graduate of the University of Notre Dame. He is a former professional football player with the Cleveland Browns and Los Angeles Rams. He currently works as a Health Care Consultant in Akron.

**Frank Stams is the running mate of Bryan Flannery.**

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### **Lee Fisher - D**

PO Box 22388  
Cleveland, Ohio 44122

Ted Strickland will be a law-abiding Governor, and I will be a law-abiding Lt. Governor. We will make Ohio a law-abiding state by finally obeying the Ohio Supreme Court and funding our schools fully and fairly. Obviously, that will take intensive negotiation with the legislature, as well as all stakeholders. But this much is clear: we need to shift away from an over-reliance on the residential property tax and shift to a fairer way for our state to bring a floor of basic quality funding to all of our schools.

EDUCATION: B.A., Oberlin College; JD, Case Western Reserve; Masters, Case Mandel School for Nonprofit Organizations

OCCUPATION: Past President/CEO, Center for Families and Children

TRAINING AND EXPERIENCE: Ohio Attorney General, State Senator, State Representative, Federal appellate law clerk, 1988 Democratic nominee for Governor, Partner, Hahn, Loeser and Parks

**Lee Fisher is the running mate of Ted Strickland.**

# **Candidates for Attorney General**

**Democrats: Subodh Chandra, Marc E. Dann**

**Question for the Candidates for Attorney General: As chief legal officer of the state of Ohio, how will you ensure the integrity of the executive, legislative, and judicial branches in light of recent ethical violations and financial irregularities?**

## **Subodh Chandra - D**

Chandra for Ohio Campaign Headquarters  
4614 Prospect Ave., Suite 225  
Cleveland, OH 44120

End the culture of corruption and cronyism by fostering an alternative culture. As a former federal prosecutor and Cleveland law director, I helped create a strong alternative culture (accept no gifts; always act in the public interest), and promoted that culture across government. People in other departments soon came to our department to whistleblow about wrongdoing. We investigated those allegations and pursued them vigorously. I have never hired someone because of politics. I helped attract top graduates of local schools, partners and associates from major law firms. Part of it was having a “lawyer’s lawyer” at the top of the organization who could attract other top lawyers.

Given the kinds of problems Ohio is facing and will face over the next four years, this job--the People’s Lawyer--must go to an accomplished lawyer, prosecutor, and executive who can lead the People’s Law Firm to protect Ohioans from further harm Exceeded word limit

EDUCATION: Stanford University-A.B. 1989 Yale Law School-J.D. 1994

OCCUPATION: Attorney

TRAINING AND EXPERIENCE: 2002-2005-Law Director-The City of Cleveland; 2005-2005-

Distinguished Practitioner-Case Western Reserve Law School; 1999-2002-Assistant U.S. Attorney General-U.S. Department of Justice (Appointed by U.S. Attorney General Janet Reno).

## **Marc E. Dann - D**

267 Northlawn Avenue  
Liberty Township, OH 44505

As a leader in the effort to expose and pursue the wrongdoing that has occurred in state government, I am already changing the way business is done in Ohio. I have sued the governor twice to force him to release documents relative to Coingate and other scandals and introduced 12 bills that will wipe out the pay-to-play culture that now controls the state and imposes a billion dollar corruption tax on Ohioans every year. As Attorney General I will continue the fight to clean up Ohio by instituting many of the reforms encompassed in my legislation, by recruiting the best available legal minds—including top flight graduates of Ohio’s law schools—to work in a reinvigorated Public Integrity Division, by establishing a credible, transparent procedure for

appointing special counsel, by reviewing state contract worth \$1 million or more, and by aggressively enforcing Ohio's open records and ethics laws.

EDUCATION: B.A., History, University of Michigan, 1984, J.D. Case Western Reserve University, 1987

OCCUPATION: State Senator, Attorney in Private Practice

TRAINING AND EXPERIENCE: Attorney in private practice, Assistant Law Director, City of Youngstown, Head of Anti-Trust Division, office of the West Virginia Attorney General, Ranking member Civil and Criminal Justice Committees, Ohio Senate

## **Candidates for Attorney General**

### **Republicans: Tim Grendell, Betty D. Montgomery**

***Question for the Candidates for Attorney General: As chief legal officer of the state of Ohio, how will you ensure the integrity of the executive, legislative, and judicial branches in light of recent ethical violations and financial irregularities?***

#### **Tim Grendell - R**

7413 Tattersall Dr.  
Chesterland, Ohio 44026

Restoring public trust in state government is critical. I started my campaign in May, 2005 by promising to establish an independent bi-partisan committee to promulgate procedures for awarding special counsel contracts to outside lawyers representing the state. I will invite the League of Women Voters to participate on that committee. My opponent and her successor have created an unsavory link between political contributions and awarding profitable no-bid contracts to their political cronies. As Attorney General, I will stop these political shenanigans.

As State Senator, I sponsored S.B. 168 which prohibits state officials and employees from benefiting from their unethical conduct. Under my legislation, a state official or employee convicted of an ethical violation will be prohibited from serving on a state board or commission and from lobbying.

As Attorney General, I will eliminate the pay to play political culture that spawns corruption in Columbus.

EDUCATION: Saint Ignatius, John Carroll, Case Western Reserve and University of Virginia School of Law

OCCUPATION: State Senator/Attorney

TRAINING AND EXPERIENCE: Army Captain/ Military Prosecutor(tried 67 prosecutions); Constitutional/Municipal Law private practitioner (partner Jones Day; own firms); Legislator 2001-present (Criminal Justice Committee, Ohio Criminal Sentencing Commission Co-Chair, Eminent Domain Law Task Force).

## **Betty D. Montgomery - R**

1164 Dawn Drive  
Reynoldsburg, Ohio 43068

Many Ohioans believe that too many politicians have put private interests before the public interest. In a few cases - involving both Democrats and Republicans - this has been true. Although most officials are honest and dedicated public servants, the crimes committed by a corrupt minority have eroded Ohioans' trust in government. Those who have violated the law should be prosecuted and punished.

Current Ohio law prevents lobbyists from gaining favors from state officials through illegal gifts, but we must clarify these laws, close existing loopholes, ensure transparency and timeliness in the reporting of donations or gifts, and increase penalties for public officials convicted of crimes of public corruption.

EDUCATION: University of Toledo College of Law, J.D.; Bowling Green State University, B.A.

OCCUPATION: Auditor of State

TRAINING AND EXPERIENCE: Criminal Clerk, Lucas County Common Pleas Court (1973-1977); Assistant Wood County Prosecuting Attorney (1977-78); Prosecuting Attorney, City of Perrysburg (1978-1981); Wood County Prosecuting Attorney (1981-1988); State Senator - District 2 (1989-1994); Ohio Attorney General (1995-2002)

## **Candidates for Secretary of State**

### **Democrat: Jennifer L. Brunner**

*Does not have a Democratic opponent in the primary.*

**Question for Candidates for Secretary of State: How will you ensure that election administration in Ohio is fair, honest, and impartial? How are you going to ensure that all eligible voters who want to voter in Ohio can vote?**

### **Jennifer L. Brunner - D**

545 E. Town Street  
Columbus, OH 43215

I am running for Secretary of State to restore trust to Ohio's election process. I will bring my experience as a former judge, elections attorney, board of elections member and Secretary of State Deputy Director to improve elections in Ohio for a fair process that favors openness, access and accountability in our elections. I will work with Ohio's county election officials to understand their concerns for election administration while developing procedures for them to keep the needs of the voter foremost in holding our elections. Being Ohio's chief election officer is a job I want to do for the citizens of Ohio, and I have given up a safe seat as a trial court judge to run for this nonjudicial office. I promise to work hard to improve the integrity of Ohio's election system and to earn the trust and respect of Ohio's citizens and the nation. [www.jenniferbrunner.com](http://www.jenniferbrunner.com)

EDUCATION: Miami University, BA; Capital University, JD

OCCUPATION: Attorney

TRAINING AND EXPERIENCE: Former Judge, Franklin County Common Pleas, 13 years private practice experience as an attorney handling a wide variety of election law matters and deputy director and legislative counsel for a former Secretary of State.

# **Candidates for Secretary of State**

## **Republican: Greg Hartmann**

*Does not have a Republican opponent in the primary.*

**Question for Candidates for Secretary of State: How will you ensure that election administration in Ohio is fair, honest, and impartial? How are you going to ensure that all eligible voters who want to voter in Ohio can vote?**

### **Greg Hartmann - R**

41 S. High Street, 29<sup>th</sup> Floor  
Columbus, OH 43215

I vow to serve the voters of Ohio first and foremost. Second, I pledge to work closely with each board of elections so that the needs and concerns of every county are heard and answered in Columbus. Where Election Law is unclear, I will issue directives to help clear up the confusion. Third, I promise to serve as a neutral Chief Elections Officer.

My top priority as Chief Elections Officer will be to protect and preserve the integrity of Ohio's election system. This will include being vigilant against voter fraud, and taking all steps necessary to ensure that every eligible voter is encouraged and permitted to vote. That's why I support the recently passed legal protections aimed at stopping individuals and groups from corrupting Ohio elections with false voter registrations, fraudulent absentee ballots, and harassment of voters at polling places.

EDUCATION, OCCUPATION, AND TRAINING AND EXPERIENCE: I attended Washington and Lee University for undergraduate and earned my law degree from Pepperdine University. As the elected Hamilton County Clerk of Courts, I manage a staff of more than 300 employees and oversee a \$15,000,000 budget which is larger than the Secretary of State's office.

# **Candidates for Treasurer of State**

## **Democrats: Richard Cordray, Hugh Quill**

**Question for Candidates for Treasurer of State: What additional safeguards will you put in place to protect public investments? What are your investment strategies that would safely maximize the rate of return?**

### **Richard Cordray - D**

4900 Grove City Road  
Grove City, Ohio 43123

I would operate the State Treasury like the Franklin County Treasury, where we invest safely and prudently and maintain a AAA bond rating, the highest available. We instituted an investment ethics policy and strengthened internal controls, including cash handling and cash management improvements. Importantly, our investments are transparent: all information is made readily available to the public. We instituted new collateral requirements, obtaining specific collateral to

protect our investments rather than less secure “pooled” collateral. And we have improved methods of electronic payment, making our processing more efficient and accurate. The same kinds of upgrades would benefit the State Treasury.

Our investment strategies include consistent yield curve analysis and mathematical modeling without trying to “guess” interest rate movements. We carefully review liquidity needs to maximize returns on investments of any duration. We also refinanced outstanding debt, taking advantage of lower interest rates to save millions of dollars for our taxpayers.

EDUCATION: B.A., Michigan State University; M.A. in Economics, Oxford University (England), J.D., University of Chicago  
 OCCUPATION: Franklin County Treasurer  
 TRAINING AND EXPERIENCE: State Representative, 1991-92; Ohio State Solicitor, 1993-94; Franklin County Treasurer, 2002-06; small business owner, 1995-2002; Chair, Franklin County Budget Commission; President, Franklin County Board of Revision; member, Franklin County Audit Committee.

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### **Hugh Quill - D**

285 Shadywood Drive  
 Dayton OH 45415

As a way to enhance safeguards designed to protect Ohio’s investments, I would advocate for stricter investment standards for custodial funds and Ohio’s investments under active management by the State Treasurer. Additionally, it is essential the treasurer appoint well qualified and independent representatives to oversee portfolio management of our state’s five retirement trusts including PERS, STRS, SERS, OP&F, and HPRS, as well as the Bureau of Workers Compensation (BWC). With proper oversight, the public investment maxim of Safety, Liquidity and Return will not be compromised. Moreover, Ohio’s banking and brokerage business should be earned by competitive pricing that will reward taxpayers with the best returns. We need to expand the universe of qualified primary dealers and brokers that will compete for Ohio’s investment business based on price, and not on political contributions. As Treasurer, it is my job to insure that excessive commissions are not diminishing taxpayer returns.

EDUCATION: Graduate, University of Dayton, B.A.  
 OCCUPATION: Serving his 12th year as Montgomery County Treasurer.  
 TRAINING AND EXPERIENCE: President of the County Treasurer’s Association of Ohio, Chairman of the Montgomery County E-Government Task Force, and a former member of the Cash Management Committee for the National Government Finance Officers Association (GFOA).

## **Candidates for Treasurer of State** **Republicans: Jennette B. Bradley, Sandra O’Brien**

***Question for Candidates for Treasurer of State: What additional safeguards will you put in place to protect public investments? What are your investment strategies that would safely maximize the rate of return?***

## **Jennette B. Bradley - R**

5791 Buck Run Drive  
Columbus, Ohio 43213

Investment activities for the Treasurer of State are regulated by the parameters established by office investment policies and the Ohio Revised Code.

They are, in order:

1. Safety: This is the most important objective of public funds management; making preservation of principal our highest priority.
2. Liquidity: Each portfolio must be structured to meet projected operating requirements; accomplished through careful cash flow analysis.
3. Return: Our investment professionals use the policy guidelines to develop prudent strategies that ensure that the portfolios we manage are properly positioned to weather Ohio's budgetary and economic cycles which safely maximizes interest earnings and meeting industry standard performance benchmarks

### Additional Safeguards

- Tightened trading policy; establish limits and guidelines for individuals authorized to conduct investment transactions.
- Strengthened the Securities Lending Policy; further regulate lending agents and counter party activities.
- Require Investment Committee strategy review sessions and establishing daily/weekly reporting requirements.

EDUCATION: B.A. Wittenberg University, Honorary Doctorate Heidelberg College

OCCUPATION: Ohio Treasurer of State

TRAINING AND EXPERIENCE: Treasurer of State since 2005. Ohio Lieutenant Governor and Director of Commerce. Senior Vice President Huntington National Bank. Senior Vice President Kemper Securities. Former National Association of Securities Dealers Registered Representative Series Seven. Eleven years Columbus City Councilmember.

## **Sandra O'Brien - R**

3434 Stumpville Road  
Rome, OH 44085

I will restore trust to this office. We find ourselves embroiled in a scandal at the Ohio Bureau of Workers Compensation, of which the current treasurer bears a certain amount of responsibility. As the chief custodian of the assets of the O.B.W.C. it was the treasurer's responsibility to make sure all of the missing/stolen/nonexistent coins were in her possession. We have come to find out that they were not. A complete audit of all assets under the jurisdiction of the state treasurer needs to be undertaken in order to guarantee Ohio's public funds are safe. My main priorities would be to protect all assets as required by law, manage and invest taxdollars in a safe and prudent manner, full disclosure of all transactions, and lobby to bring all investment authority under the State Investment Board for full accountability.

EDUCATION, OCCUPATION, TRAINING AND EXPERIENCE: I hold a Master's Degree in Administration and a Bachelor's Degree in Education. Currently I am Ashtabula County Auditor. I run a public financial office for eleven years now. I received the Certificate of Excellence in Financial Reporting each year and the Outstanding County Auditors' Award in 1998.

# Candidates for Auditor of State

Republican: Mary Taylor

**Question for Candidates for Auditor of State: What would you do to enforce Ohio's sunshine laws and open-records policy, given increased difficulty in accessing public records?**

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## Mary Taylor, CPA - R

3431 Parfoure Blvd.  
Uniontown, Ohio 44685

As the next Auditor of State, I will make sure that I and the team around me are committed to enforcing Ohio's sunshine laws and open-records policy in a friendly and enthusiastic manner. I am committed to training the professionals in the office to fully understand Ohio's open-records laws so that we can serve as a resource to state and local governments and agencies in complying with the laws as well. I will have zero tolerance for anything but mandatory compliance of the law.

EDUCATION: University of Akron, Masters of Taxation, BS-Accounting

OCCUPATION: Certified Public Accountant; State Representative 43<sup>rd</sup> Ohio House District

TRAINING AND EXPERIENCE: I am a Certified Public Accountant with over 16 years of private sector experience. If elected in November, I would be first CPA ever elected to the State Auditor's office.

# Candidates for Auditor of State

Democrats: Barbara Sykes, Mary Taylor, CPA

**Question for Candidates for Auditor of State: What would you do to enforce Ohio's sunshine laws and open-records policy, given increased difficulty in accessing public records?**

Barbara Sykes - D

*No Response from Candidate.*

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# **Candidates: Justice, Supreme Court of Ohio**

Term Beginning January 2, 2007

## **Democrats: William Michael O'Neill, A.J. Wagner**

***Question for Candidates for Supreme Court Justice: What options do you believe the judiciary has when there is a judicial decision that requires the legislature to act if their response does not fully address the decision?***

### **William Michael O'Neill - D**

119 Waverly Lane  
South Russell, Ohio 44022

The judiciary is the third independent branch of government with the solemn obligation to insure that the other two branches follow the law as written. When a legislative body or an executive branch is either unwilling or unable to follow the law, the judiciary is required, through contempt proceedings, to enforce its own orders. For years courts, through their orders, have compelled individuals to perform tasks which they might otherwise avoid. Through their Orders, Courts have run schools and mental institutions; placed individuals in jail, seized wages, attached and disposed of property and utilized a host of other methods of persuading individuals to follow the law. Naturally, Courts can use persuasion to achieve a proper result. However, at the end of the day, a court which does not enforce its own orders has abandoned its role as the third independent branch of government.

EDUCATION: Juris Doctor, Cleveland Marshall College of Law; Bachelor of Science, Journalism, Ohio University; Registered Nurse, Huron School of Nursing.

OCCUPATION: Judge, 11th District Court of Appeals, Second Term

EXPERIENCE AND TRAINING: Former Assistant Attorney General, State of Ohio. Retired, US Army, Lieutenant Colonel, JAG. Decided over 3,000 cases since 1997.

### **A.J. Wagner - D**

7 Stonemill Road  
Dayton, Ohio 45409

First, it is essential that the Court's decision is explicit as to what the offending matter is so as to aid the legislature in understanding what must be remedied. If the decision is not clear enough, rewrite it to make it clear. Be specific about exactly what statutes or parts of the statute are problematic. Second, if contempt is clear, consider contempt proceedings. Third, if these solutions do not or cannot work, the Court may assign a special master to implement the needed changes to bring the law into compliance with the constitution. Fourth, the Court may also implement a restraining order preventing any action that does not comply with the Court's order.

EDUCATION: College of Steubenville, Bachelor of Science, 1973; University of Dayton, Juris Doctor, 1977

OCCUPATION: Judge

TRAINING AND EXPERIENCE: Former Probate Court Referee, Acting Municipal Court Judge, Acting Domestic Relations Court Referee, Legal Counsel to Juvenile Court Citizen Review Board, and County Auditor. Currently, Common Pleas Court Judge.

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## **Candidates: Justice, Supreme Court of Ohio**

Term Beginning January 2, 2007

### **Republican: Terrence O'Donnell**

*Does not have a Republican opponent in the primary*

***Question for Candidates for Supreme Court Justice: What options do you believe the judiciary has when there is a judicial decision that requires the legislature to act if their response does not fully address the decision?***

### **Terrence O'Donnell - R**

3400 Delmar Drive  
Rocky River, OH 44116

The Ohio Constitution establishes the Judiciary as an equal branch of government, not superior to either the Legislative or Executive branches. Courts only assert judicial authority over parties to lawsuits, and do not exercise jurisdiction over those not before the court on a pending matter. As such, courts merely decide the legal issues presented in a given case.

I am unable to conceive of a judicial decision that would "require" the Legislature to act given that it is a separate branch of government elected by the voters; it is not the role of the Judiciary as interpreters of law to supersede the role of the Legislature as makers of law.

EDUCATION: Kent State University-BA (1968); Cleveland State University-JD (1971)

OCCUPATION: Justice, Supreme Court of Ohio

TRAINING AND EXPERIENCE: Attorney-Marshman, Snyder & Corrigan; Judge, Cuyahoga County Common Pleas Court; Judge, Eighth District Court of Appeals; Ohio Legal Rights Service Commission, Past Chair, Statewide;

## **Candidates: Justice, Supreme Court of Ohio**

Term Beginning January 2, 2007

### **Republican: Robert R. Cupp**

*Does not have a Republican opponent in the primary*

***Question for Candidates for Supreme Court Justice: What options do you believe the judiciary has when there is a judicial decision that requires the legislature to act if their response does not fully address the decision?***

**Robert R. Cupp - R**

3003 W. Hume Road  
Lima, Ohio 45806

Each situation will necessarily depend upon the particular facts of the specific case in litigation. Thus, a broad listing of possibilities is not practicable.

"It is emphatically the province and duty of the judicial department [courts] to say what the law is," as U.S. Chief Justice John Marshall held in *Marbury vs. Madison* (1803). The design of the constitutional separation of powers provides a check and balance on the authority of any one branch over another branch. Each co-equal branch of government - legislative, executive and judicial - must both fulfill its obligations and be respectful of the authority of the other branches.

Individuals elected to office in each branch of government must understand that their ultimate responsibility is to do the work of the people. This must be guided by the framework of the constitution, the law, and a respect for the duties of each branch of government.

EDUCATION: Ohio Northern University, B.A. (1973); Juris Doctor (1976)

OCCUPATION: Judge, Ohio Court of Appeals-Third Appellate District

TRAINING AND EXPERIENCE: Private law practice 25 years; Lima city prosecutor and assistant law director, state senator and senate president pro tempore, Allen County commissioner, Rhodes State College adjunct faculty, and Ohio Northern University visiting professor.

## **Candidates: Justice, Supreme Court of Ohio**

Term Beginning January 2, 2007

### **Democrats: Ben E. Epsy, Peter M. Sikora**

***Question for Candidates for Supreme Court Justice: What options do you believe the judiciary has when there is a judicial decision that requires the legislature to act if their response does not fully address the decision?***

### **Ben E. Epsy - D**

1350 Brookwood Place  
Columbus, OH 43209

The Court is the ultimate protector of the constitution. It should be enough simply to declare that the legislature is obliged under the constitution to enact the legislation and that its failure to do so is in violation of the Constitution. A responsible legislature would ordinarily comply.

The court may issue a mandatory order against the legislature directing it to enact the legislation on pain of being held in contempt of court for which it may be fined.

If the legislature still resists, the court may issue a mandatory order against the members of the legislature personally, directing them to enact the required legislation on pain of being held in contempt of court for which they may be fined or imprisoned.

As a last resort, the court may issue a legislative order which prescribes the rules meant to have been enacted by legislation required under the Constitution.

EDUCATION: The Ohio State University BA 1961-65, Howard University School of Law JD (1965-1968)

OCCUPATION: Attorney

TRAINING AND EXPERIENCE: Columbus City Council 1982-1992; Ohio Senate 1992-2002; Ohio Attorney General's Office Chief, Division of Criminal Activities; Ohio Attorney General's Office Deputy Chief, Civil Rights Division; Practicing Attorney for 38 years

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### **Peter M. Sikora - D**

10010 Lake Ave.  
Cleveland, OH 44102

It is important to understand that the authority of the judiciary to enforce its decisions relies primarily on the confidence the public has in the Court's fairness and impartiality. If the citizenry believes that a Court has rendered its decision based upon the facts and the law, free of any improper or undue influence, it is more likely that the decision will be respected and followed.

Similarly, when a decision is issued that requires legislative action, respect for and confidence in the independence and fairness of the judiciary should inspire an appropriate legislative response. When, for whatever reason, that does not occur, the Court does have significant authority to enforce its decisions such as appointment of a special master and exercise of the contempt authority.

EDUCATION: Graduate: Cuyahoga Community College, Baldwin Wallace College, Case Western Reserve University School of Law

OCCUPATION: Judge, Cuyahoga County Juvenile Court

TRAINING AND EXPERIENCE: Judge for 17 years; Deputy Director and General Counsel, Ohio Department of Mental Retardation and Developmental Disabilities; Deputy Legal Counsel to Governor Richard Celeste; Law Clerk, Ohio Court of Appeals

## **Candidates for U.S. Senate**

**Democrats: Sherrod Brown, Merrill Samuel Keiser, Jr.**

**Question for Candidates for U.S. Senate: What measures will you support to cope with rising costs of Medicare and Medicaid? Would any of these measures involve shifting additional costs to the states?**

### **Sherrod Brown - D**

2280 Kresge Drive  
Amherst, OH 44001

The first step is structural. All care for the elderly, including long-term care, should be incorporated into Medicare. This would relieve the states of the largest component of Medicaid spending and encourage cost-efficient integration of health and long-term care services for Medicare beneficiaries. I will continue to support legislation that would authorize the federal government to negotiate reasonable prescription drug prices for the Medicare program, as the VA does today. This could result in price reductions of 50% or greater. I will also support aggressive research and interventions aimed at reducing the incidence and severity of chronic disease, which is a major factor in the rising cost of Medicare and Medicaid. And I will support efforts to identify best practices in health care, which improve the quality of care and combat excess spending. None of these measures would shift additional costs to the states.

EDUCATION: Yale University: Russian Studies; Ohio State University: Master's in Education and Public Administration

OCCUPATION: United States Congressman, OH-13

TRAINING AND EXPERIENCE: Ohio State Representative: 1975-1982, Ohio Secretary of State: 1983-1991, United States Congressman, OH-13: 1993-present

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## **Merrill Samuel Keiser, Jr. - D**

317 Granville Blvd.

Fremont, OH 43520-2223

I support all measures and initiatives to eliminate fraud, abuse and waste built into our health care delivery system. More than 25% of all healthcare cost is waste and fraud. I support Health Savings Accounts to provide incentives for Americans to assume responsibility for their own healthcare. I support all efforts to put more money into preventive healthcare. I support encouraging private and public insurers to provide incentives for reducing cost of premiums for those persons who practice good health habits and penalize those who do not.

Shifting the cost of Medicare and Medicaid from the Federal government to the states does not solve the problems of rising healthcare costs. The contracts of poorly performing or fraudulent healthcare providers would be terminated. Incentives can be offered rewarding excellent performance in health care, in fact, there a move underway establishing Pay-for-Performance incentives by insurers in the healthcare industry

EDUCATION: Bachelor of Science degree in Watershed management; Master of Divinity degree in Christian Education

OCCUPATION: Owner-operator of my own trucking company

TRAINING AND EXPERIENCE: Topographical survey; Infantry training; Pastoral responsibility; Soil conservationist; Cement finisher; Accounting training; Nursing Home Administrator training and licensure; Precinct committeeman in 1985-1986; Pizza delivery driver

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## **Candidates for U.S. Senate**

**Republicans: Mike DeWine, William Pierce, David Smith**

***Question for Candidates for U.S. Senate: What measures will you support to cope with rising costs of Medicare and Medicaid? Would any of these measures involve shifting additional costs to the states?***

**Mike DeWine - R**

P.O. Box 340188  
Columbus, OH 43234

Medicare and Medicaid are a vital health care provider for millions of Ohioans. As a United States Senator I have voted to protect and improve both programs because I understand their importance to seniors, the disabled, women and children.

Last year (2005) I voted against the federal budget. One of the primary reasons I did do was because it cut Medicaid. Last year I also supported protecting seniors from steep increases in their Medicare premiums.

In 2003 when many states, including Ohio, were having budget problems I voted for giving states more money for Medicaid so they did not have to cut services. I believe that the federal government must help states when it can so cuts to this vital program can be avoided.

I have and will continue to work on providing quality care at the most affordable cost to those served by Medicare and Medicaid.

EDUCATION: JD, Ohio Northern University (1972), BS Miami University (1969), Yellow Springs High School (1965)

OCCUPATION, TRAINING, AND EXPERIENCE: 1995—Present: United States Senator;  
1991-1994: Lt. Governor of Ohio; 1983-1990: U.S. Representative (7<sup>th</sup> District); 1981-1982: State Senator (10<sup>th</sup> District); 1977-1981: Greene County Prosecutor

**William G. Pierce, P.E. – R**

P.O. Box 498252  
Cincinnati, Ohio 45249

Two significant issues impact the burgeoning cost of health care in America and must be brought under to control:

- a) Tort reform – The ever growing popularity of using our court system as a lottery ticket increases liability costs for our health care providers and in turn increases all health care costs, including Medicare and Medicaid, for the patients. It also increases the number of tests requested to generate backup documentation. We must place limits on judgments to reasonable reimbursement costs for malpractice and curb the runaway “pain and suffering” awards.

In addition, we must join the rest of the civilized world with a “loser pays” the legal expenses of the prevailing party to minimize the rising tide of frivolous lawsuits.

- b) Drug research and manufacturing – overhaul government regulations which preclude expedient delivery of new drugs, and provisions to strengthen patents to provide proprietary protection for years of research.

EDUCATION: BS Mechanical Engineering and MA in Education

OCCUPATION: Registered Professional Engineer and Mathematics Teacher

TRAINING AND EXPERIENCE: Twenty years as consulting engineer; fifteen years as President/CEO of consulting engineering firm in three cities – Cincinnati, Louisville, Detroit; and ten years as high school and college mathematics teacher.

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## **David Smith – R**

*No Response from Candidate*