



## Hoosier sentiments shifted on HJR-3

Long assigns  
to Senate Rules,  
wants 'clean bill'

By **BRIAN A. HOWEY**  
and **MATTHEW BUTLER**

INDIANAPOLIS – In October 2012, the Howey/DePauw Indiana Battleground Poll produced some fascinating data beyond the U.S. Senate and gubernatorial races. The proposed constitutional marriage amendment had only a 48-45% lead, with 7% undecided.

On Election Day over lunch, the Indiana Family Institute's Curt Smith politely questioned the numbers, suggesting that the survey sampling might have been overly "liberal." The numbers were not only surprising to HPI, but to the family advocacy groups which had spent a decade seeking the constitutional change.



State Rep. Kevin Mahan gave riveting testimony on the HJR-3 second sentence. (HPI Photo by Matthew Butler)

Looking back on those numbers after this tumultuous week in the Indiana General Assembly that saw House Republicans strip out part of HJR-3 that would have prevented future state-recognized civil unions, and then pass the revised resolution, that data set was the proverbial canary in the coal mine.

Following surveys by Ball State's Bowen Center for Public Affairs and an HPI Poll in April 2013 only reaffirmed what has been a shift in public opinion. In the April HPI poll, the amendment had a 50/46% lead.

An Indianapolis Star-WTHR-TV Poll in December 2007 found 49% supported such a constitutional amendment, down from 56% in a March 2005 survey.

It prompted House Speaker Brian Bosma to think

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## Peru's school bus dilemma

By **MAUREEN HAYDEN**

INDIANAPOLIS – Chuck Brimbury is no-excuses kind of guy.

Five years ago, he inherited a world of problems when he took over as school superintendent in Peru, a city of 13,000 people in rural Miami County. The high school graduation rate was stuck below 69 percent. Absenteeism and drop-out rates were among the state's highest. Test scores were scraping bottom. The district faced a state takeover.

Now, the graduation rate is close to 98 percent, attendance has climbed, and test scores have skyrocketed. Peru is a "turn-around" model, especially for



**“He reiterated to us that he would not sign any legislation that was not revenue neutral to communities. He reiterated that point several times.”**

*- Evansville Mayor Lloyd Winnecke, after mayors meeting with Gov. Pence*



is a non-partisan newsletter based in Indianapolis and Nashville, Ind. It was founded in 1994 in Fort Wayne.

It is published by  
**WWWHowey Media, LLC**  
**405 Massachusetts Ave.,**  
**Suite 300 Indianapolis, IN**  
**46204**

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HPI, HPI Daily Wire \$599  
 HPI Weekly, \$350  
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schools facing the mandates of state education reform.

Last year, Brimbury's peers honored him by naming him one of the best superintendents in the state.

**These days Brimbury** and his schools are a model for something else: unintended consequences. Facing drastic cuts – including a shut-down of bus service that could shut out marginal students – Peru's schools illustrate the sometimes dire results of laws that may otherwise be well meaning.

Brimbury's successes haven't come easily, as he's demanded more accountability from teachers and students. When students didn't show up for class, he sent counselors to find them. When parents couldn't come meet teachers, he sent teachers to the parents, wherever they were.

"We once had excuses for all our failures – a reason for everything that was going wrong," he said. "We decided to drop those excuses."

Things weren't always so difficult in Peru, once a thriving community and the proud home to Grissom Air Force Base, which trained military pilots from around the world. But when the base closed in the 1990s, followed by nearby factories and the railroads pulled out, the economy and the schools were casualties.

Today 70 percent of Peru schoolchildren are from families in poverty. The city has one of the state's highest rates of single mothers and one of its lowest incomes per capita. The tax base plunged from \$460 million to \$318 million in assessed value between 2007 and 2011, and it hasn't recovered.

**On top of that**, the schools have faced a double whammy from the Legislature – a slash to school budgets in 2010, and the impact of property tax caps first passed in 2008. These brought deep cuts to the rev-

enue available to patch leaking roofs, replace old buses, and get students to and from school. The district's budget is down 20 percent since Brimbury's arrival. He has cut \$1 million from administrators' salaries.

"We are down to the bones," he told the Senate Appropriations Committee last Thursday.

Brimbury (pictured) had traveled to the Statehouse, on a morning when the wind chill dipped below zero, seeking help from another legislative hit. This one came in the guise of a law compelling schools to pay off their debts using dollars now spent on transportation and big-ticket projects.

The law protects bondholders, especially those invested in what one lawmaker described to me as spendthrift districts "building Taj Mahals in cornfields." But that's hardly Peru.

**Rather, Brimbury's** already cut back bus routes and is now thinking of ending service entirely to students within two miles of the high school. In some communities, that might represent an inconvenience. In Peru, where so many students have few resources, it's a crisis.

Ultimately, Peru may see a reprieve from a bill that would delay the start of the debt-service law for districts that otherwise might lose 20 percent or more of their transportation and capital budgets.

It's more salve than solution for Peru. But for a no-excuses superintendent, that could be enough.

"I'm not asking you for more money. I just need some relief," Brimbury said. "I just want you to help me get those kids to schools, so we can get them educated and break the cycle of poverty they're in."



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## HJR-3, from page 1

aloud last summer during an HPI interview on how former Speaker B. Patrick Bauer's delaying tactics surrounding the amendment might have ultimately paid off as public opinion began to overtake the issue.

The key thing to remember is that public opinion often shifts before deliberative bodies like Congress or the Indiana General Assembly catch on, whether it was FDR's Lend-Lease program prior to Dec. 7, 1941, opposition to the Vietnam War in the mid-1960s, or Republican opposition on a constitutional Indiana lottery referendum in the decade leading up to 1988 when it passed with 62% of the vote.

In 2011, the constitutional marriage referendum passed the Indiana House 70-26.

On Tuesday, it passed 57 to 40. That is as dramatic an erosion of support as the polling numbers HPI produced in late 2012 when you consider that the GOP House majority actually expanded from 60 to 69 members between the two legislatures.

The vote against the second sentence on Monday, following a week of gridlock on the House Judiciary Committee, was 52 to 43. That was a strike against the perceived intolerance embedded in the second sentence.

Republican State Reps. Kevin Mahan, Dan Leonard and Wendy McNamara crystallized the nuanced change revolving around the issue. All three voted for passage of HJR-3 out of the House, sans the second sentence. Leonard and McNamara formed the opposition to that sentence in House Judiciary.

On Sunday, Leonard told Indiana Talks, "We have to put the right question on the ballot. Many people I talk to are very much in favor of the first sentence. But when they talk about the second sentence, they say 'We don't like that. We don't want that in there.' But you can't split it. The only way to take it out is to start the process over. I am quite willing to put the correct question on the ballot in 2016. Many of the people don't believe it would pass in 2016. Why would we want to put it in the Constitution today in 2014 if it would not pass in 2016? We would be binding future generations to something they would not want to do."

Mahan articulated a new dynamic surrounding the issue. With an estimated 10% of the Indiana population gay and with many living more open and otherwise

mainstream lifestyles, the change has been that many of us have family members and friends in this subgroup. The Indiana lesbian couple who were married during the Grammys on Sunday were from . . . Fishers, a bastion of conservatism. They weren't from Bloomington.

In one of the most impassioned House speeches in recent years, Mahan, R-Hartford City and the former Blackford County sheriff, said, "I have never approached this microphone speaking on an issue of social conscience. I do support the legal definition of marriage between one man and one woman. I support it today. My constituents overwhelmingly did as well." But Mahan said the constituents had approached him and he described them as Republicans, pastors, Catholics, Protestants and "my neighbors." He said that two Christian universities in his district chose not to take a stand on HJR-3. "I was in denial," Mahan said. "I simply cannot buy into the concept that we have to get this passed so we don't have to deal with it in 2016."

Even more revealing was that two Christian universities in his district, Taylor and Indiana Wesleyan, took no position on HJR-3. Leaders from an array of other denominations publicly opposed the amendment. House members weren't being approached by gays and lesbians. They were being approached by pastors, priests and rabbis.

Mahan said, "I believe in supporting good policy. If we cannot understand in this body exactly what that second sentence means, how can we expect millions of Hoosiers to understand what it means when they go to the polls in November?"

"You can be safe or you can be brave," Mahan said. "I choose to be brave."

It was a cathartic moment, articulating a shift with 52 votes, including 23 from Republicans, or a third of the caucus.

### The new realities

Perceived bravery today actually may be consistent with the new emerging political realities. They weren't exhibited by Republicans from Indianapolis and Fort Wayne, but those from conservative areas like Hartford City, Mount Vernon, Huntington, Syracuse, Greensburg, Attica and Shelbyville. Hoosiers are conservative, but there is also a character trait of fairness, and the second sentence has crossed the line of perceived intolerance.

Speaking on the House floor after HJR-3 passed the House, Mahan told reporters that he and other Republicans hope the Senate does not restore the second sentence.



**State Reps. Wendy McNamara (from top) Randy Truitt, Holli Sullivan, Dan Leonard and Jerry Torr voted against the second sentence, with Truitt and Torr opposing HJR-3 outright.**

## Sobering moment for social conservatives

It should be a sobering moment for social conservatives, who believed they had ascended to their most powerful position – ever. In 2012, the most conservative governor in the television age, Mike Pence, was elected, along with two super majorities in the House and Senate, setting the stage for what many in that camp believed would be an open lane to a distinct social policy on this red state.

As we all know, Pence's victory came in at 49%, the first governor since 1962 not to achieve majority support. Pence had a near brush with defeat after Richard Mourdock's "God intends rape" remarks at the end of his losing U.S. Senate race. That should have been seen as another precursor that the population was shifting. There are limits for conservatives even in a red state such as Indiana.

The robust House majorities forged in 2010 and 2012 also brought in a new class of economic conservatives more aligned with Mitch Daniels than Mike Pence.

This group includes Steve Braun, Cindy Ziemke, Todd Huston, Rebecca Kubacki, Sharon Negele, McNamara, Mahan, and, in the past few months, Casey Cox and Holli Sullivan. They all have conservative bonafides and are hardly hostile to Gov. Pence, but there are nuanced limits on how far they will go on social policy. The second sentence of HJR-3 and the tormented HB1153 that attempted to explain the "intent of the framers" was a bridge too far.

Others in more moderate areas, such as Sullivan and Rep. Cindy Kirchofer, represent areas where a viable Democratic challenger with HJR-3 enhanced turnout could pose a problem next November. Sullivan has a credible opponent in Vanderburgh County Commissioner Steve Melcher lined up for the fall.

Gov. Pence, who now faces the prospect of running for reelection with the issue on the 2016 ballot refused to comment on the issue before the press on Wednesday. Pence's staff said Wednesday he would not answer questions about anything other than the state's propane shortage during a Statehouse news conference, and Pence declined to answer questions about the issue as he left the event, the Associated Press reported.

A long-time Republican Statehouse observer who asked to speak on background, said, "It's important to remember that (Monday's) vote was not a vote in favor of gay marriage. I do believe that the legislature and the majority of Hoosiers still support traditional marriage between one man and one woman. Gay marriage advocates might bemoan the fact that this traditional definition remains, but if you look at Indiana versus the rest of the country it's

hard to make Indiana look like some kind of cultural backwater. There are still 29 states with bans enshrined in their constitutions and for now, Indiana is not one of them."

## Long assigns bill to Senate Rules

The key question that will impact the political lay of the land for the rest of the year is whether the Senate will restore the second sentence.

While the Senate tends to be more deliberative, it also has a social conservative core of about half the majority caucus. The key question is whether they learned from the House votes, or will double down on reinsert the second sentence in hopes that three House members will change their vote in

States performing same-sex marriages:

16 + D.C.



States allowing civil unions or domestic partnerships, but no same-sex marriage:

5



States with constitutional bans on same-sex marriage:

29



March. If they can't, the entire process will start over.

Long said last week the bill, with Sen. Dennis Kruse as sponsor, would go to Senate Judiciary, where it had always been through the multi-year process. But this morning, Long announced HJR-3 would go to Senate Rules, which he said, is the largest committee and includes leadership from both parties.

"I would like a clean bill to come to the floor of the Senate," Long said. "We're kind of in uncharted waters here."

Asked about what "clean" means, Long said it referred to the legislation in its "current form." He said amendments will come only before the full Senate.

Long chairs Senate rules and Senate Minority Leader Tim Lanane is the ranking minority member. Republicans include Sens. Thomas Wyss, Ed Charbonneau, Douglas Eckerty, Brandt Hershman, Dennis Kruse, James Merritt and Brent Steele. Democrats include Sens. Jim Arnold, Jean Breaux and Lindel Hume.

Long added, "We have always managed to do all of our other business as well. We'll be doing business as usual even though it is not business as usual. We have things more important, jobs, economy. It is not THE most important issue for Hoosiers today."

Asked if the Senate would be inclined to accept the House version, Long said, "I am sure it comes into consideration." He acknowledged that civil unions were the target of the second sentence.

Long added that he has not had contact with Gov. Pence on the issue. "I don't see the governor trying to influence it," he said. "This is ultimately the legislature's call."

Republicans will certainly be lobbied to restore the second sentence. "Retaining the second sentence makes the first sentence much more likely to survive a legal challenge," Curt Smith, president of the Indiana Family Institute, said.

Eric Miller's Advance America, sent an email to supporters on Wednesday, saying it "still believes that Hoosiers should have the opportunity to vote on November 4th to protect marriage between one man and one woman. In order to do this, Advance America will be working with senators to add the language back into HJR 3 that was taken out in the House of Representatives on January 27th so Hoosiers can vote November 4th to protect marriage."

Rick Sutton of Indiana Freedom told HPI after Tuesday's vote on HJR-3, "We've told our supporters and everyone within the sound of our voice that this is a marathon, not a sprint. You have to be ready in the legislative process to have ups and downs. Last night was an up. This isn't a down, this was kind of expected. We're going to watch in the other chamber now and make sure the Senate has the same kind of very intense attention that



**Republican Reps. Ed Clere (left) and Randy Truitt before Truitt offered up the amendment striking the second sentence. (HPI Photo by Matthew Butler)**

the House did. Our field team knows how to get constituents engaged."

If the sentence is reinstated in the Senate, it would face another vote in the House. With 52 members already on record against the second sentence, amendment proponents face a high hurdle to have it pass in order to be placed on the ballot this November.

If the Senate restores the second sentence, passage in the House will be in distinct jeopardy.

The stakes are potentially immense.

With changes in the amendment, the process is restarted and should it pass this year and in 2015 or 2016, would be poised for the 2016 general election when Gov. Pence is expected to seek reelection. But multiple sources say that Pence doesn't want to run with it.

The urgency for HJR-3 proponents is that public opinion is slipping away from them. In two and a half years, it could go from a 50/50 proposition to a political liability. And as the Indiana House revealed this week, those rumblings are already being felt in tangible ways. ❖

## Clergy had huge impact on HJR-3

By MAUREEN HAYDEN  
CHNI Statehouse Bureau

INDIANAPOLIS – In the months leading up to a vote on the marriage amendment, Republican state Rep. Kevin Mahan expected to be inundated with calls and emails from gay advocates in Indiana's big cities, demanding he oppose the measure.

Instead, he found himself being approached by pastors and church elders in his mostly rural district in east-central Indiana, along with friends and neighbors from Catholic and Protestant congregations in and around the small town where he lives. They wanted Mahan to know they didn't like the idea

of amending the constitution to lock in a law outlawing same-sex marriages and civil unions.

Mahan, who describes himself as a Christian who "goes to church every chance I get," voted for the amendment two years ago when it sailed through the Republican-controlled House. He hadn't expected to waver in his view when it came up again.

"But we don't live in vacuum," Mahan said earlier this week. "I'd go to my son's basketball game and I'd have folks whom I know are Christians and leaders in their churches want to sit with me and spend an entire quarter of a basketball game in a high school gym talking about this. They'd say: 'I used to support this, but now I don't.' I had listen to that stuff."

On Monday, when House Joint Resolution 3 came to the floor of the House for debate, Mahan offered an impassioned plea to pull the language banning civil unions from the measure. He cited the pleas of his faithful constituents that reflect polls showing diminishing public support.

Fifty-one of his colleagues agreed with him, including 22 Republicans. The vote left intact the ban on gay marriage, but the change in the resolution's language could delay or derail the amendment by keeping it off the November ballot. A constitutional amendment, containing the exact same wording, must be approved by two, separately elected legislatures before it goes to voters for ratification.

Shouts of "Hallelujah!" and "Thank God!" could be heard from amendment opponents in the hallway outside the House chamber.

In the decade since the marriage amendment was first proposed in the General Assembly, the conventional view is that it pits religious forces against secular proponents of marriage equality.

Amendment supporters, including Republican



Gov. Mike Pence, still draw upon their religious beliefs and a Biblical view of marriage that condemns same-sex unions. During the House debate, Rep. Woody Burton, R-Whiteland, argued Hoosiers should be given the chance to express that belief at the ballot box: "Somebody said to me, 'You know, Burton, part of your problem is you let your faith get in the way.' I said, 'I certainly hope so.' I'm not ashamed of it and I'm not going to back away.' "

But the changing hearts and minds of voters and some legislators may be testament to the concerted efforts of liberal and moderate clergy to advocate against the measure using the language of faith to counter the moral claims of amendment supporters.

"Love leads every conversation I have," said Whitney Murphy, a Pentecostal church member who holds the title of "faith organizer" with Freedom Indiana, a coalition of businesses, organizations, and churches opposing HJR-3.

"We work with many denominations, many churches, and many people of different faiths. But one of the tenets of all faith communities is to love one another and treat each person as you want to be treated," Murphy said. "The question is: does HJR-3 meet that test?"

The question is being put to lawmakers from some mainline churches around the state. Last November, more than 300 faith leaders signed a letter, posted online by Freedom Indiana, opposing the proposed amendment. The letter said the signatories don't all agree on whether the State of Indiana should grant same-sex marriage. But they did agree that the constitution was not the right place to decide the issue.

"The Marriage Amendment would increase discrimination and undermine religious freedom," the letter reads. "We urge you to vote against it."

Those official voices matter, but Freedom Indiana's faith organizers went a step beyond. They plugged into the organization's growing grassroots movement, asking people in the pews to talk to legislators about family and friends affected by the issue.

"There is probably not one family represented by a legislator that is void of having someone close to them who is gay, or bisexual, or transgendered, or at least questioning or struggling," said the Rev. Patricia Case, a minister in the Christian Church, Disciples of Christ. "It's a very personal issue for many people."

There's been vocal and vehement opposition to HJR-3 from the state's biggest employers, its universities, and its mayors of cities big and small. Their representatives have offered testimony to lawmakers, arguing the amendment harms their efforts to recruit and retain talent.

Those concerns have resonated with some lawmakers, including Rep. Steve Braun of Zionsville. The technology consultant and Harvard University graduate was one of 13 Republicans who voted against HJR-3 after

it was stripped of the civil union language. The divisive debate over the amendment, he said, is just bad for business.

But the faith-based opposition adds a new element to the debate, said IPFW political scientist Andy Downs. It counteracts the notion that there is only one theological view on marriage.

**And it gives legislators** in a conservative state like Indiana some political cover to question the need to amend the constitution when there is already a law on the books that bans gay marriage.

"I think they're hearing more people of faith ques-



tion the need for a constitutional amendment," Downs said. "More and more people seem to be asking: 'If the law already says you can't do it, why do we need to throw another stone on the pile?'"

State Rep. Ed Clere of New Albany agrees. In 2011, he was the only Republican in the legislature to vote against the amendment. He was pleased but not surprised when some of his GOP colleagues joined him in the "Nay" vote this week, along with Democrats who'd voted for the amendment the last time. "The physical presence of clergy in the Statehouse has been a major factor," Clere said. "I don't think it's something that a lot of legislators expected to see. It's certainly added a welcome dimension."

Still, there are questions about how many more legislators amendment opponents can convert. The stripped down resolution is headed to the more conservative Senate, which passed the amendment on 40-10 vote in 2011.

The influential Indiana Family Institute and other conservative faith groups are lobbying senators to restore the civil unions ban. They contend the clause is essential to the legal argument that marriage deserves unique status as the only way to deliver the social benefits of raising children with a mother and father.

**Freedom Indiana's faith** organizers are re-doubling their efforts. "This is not about building a campaign. This is about building a whole community," Case said. "We don't want to win a vote. We want to win hearts. We want to move Indiana into the kind of place that it can be. Where Hoosier hospitality comes alive and we really live what we say." ❖

# HJR-3 producing only 1 primary showdown

By **BRIAN A. HOWEY**

INDIANAPOLIS – One of the big subplots in the constitutional marriage amendment showdown has been the specter of primary election challengers for Republicans opposing either the second sentence or HJR-3 itself.

But just eight days before the noon Feb. 7 filing deadline, there are only a handful of primary races taking shape in this subgroup, and in only one has HJR-3 taken a prominent role. That would be Curt Nisly's challenge to State Rep. Rebecca Kubacki, R-Syracuse, who voted to strike the second sentence and against HJR-3 this week.

Nisly, the husband of Elkhart County Republican Chair Mary Nisly, runs a computer technology firm and favors HJR-3. His name first surfaced when he pondered a primary challenge to U.S. Rep. Jackie Walorski, which angered members of the Indiana Republican Central Committee, which by a wide margin opposes HJR-3. Another potential friction point could be Common Core, which Nisly opposes. Kubacki opposed the HEA1427 that called for a "pause" in Common Core in 2013, but said she backs Gov. Mike Pence's education agenda, which calls for Hoosiers to rewrite the state education standards.

Kubacki was defiant of the Nisly challenge, telling the Elkhart Truth, "I take great pride in being one of the hardest working legislators both in session and in my community. I intend to keep doing exactly what I always have: Work harder than the other guy."

She questions the need for HJR-3, Kubacki told the Truth, because it would undermine the notion of "protecting our Constitution from supermajorities and the pressures of the politics of the day. My responsibility as a legislator is to protect and defend our Constitution, not reject and amend it. If we go down that path we might as well just rip it up and make a list of laws as opinion changes."

And a third issue divide is whether to place regulations on church-run day care centers. A Nisly campaign volunteer said moves to impose new requirements on the centers could emerge as an issue in a Nisly-Kubacki contest. Kubacki is co-author of House Bill 1036, and in an email she said the measure would apply only to child-care centers that accept federal Child Care and Development Fund money. "If a child-care ministry receives these funds, they are asked to meet the same standards ... every other child care center has to," Kubacki told the Truth. "This bill has to do with making sure every child is safe and in an environment where they will thrive."

**House Elections Chairman Milo Smith**, who approached Speaker Brian Bosma about shifting HJR-3



## Curt Nisly is challenging State Rep. Rebecca Kubacki and he intends to make HJR-3 an issue.

and HB1153 from Judiciary to his committee, is facing a primary challenge from Bartholomew County Council President Ryan Lauer, but in his announcement, did not mention HJR-3.

This could be an interesting race. In 2006, Bartholomew County Republicans played a huge role in Greg Walker's upset of Senate President Pro Tempore Robert Garton. Like Lauer, Walker decided to challenge Garton to give voters a choice.

"It has been a great honor to serve the people of Bartholomew County, and I look forward to completing the remainder of my term on the county council this year, working for you," Lauer said. "After serious consideration and much encouragement from family, friends, and constituents, I believe Republicans deserve to have a choice in this upcoming election as to who should represent us at the Statehouse... and with your permission, my hope is to continue serving you as the Republican candidate for State Representative in Indiana's 59th district."

Lauer said he is looking forward to a "positive and spirited" campaign. He adds that his campaign will focus on his core principles of quality education for all, limited government, and fiscal conservatism. "If elected, I will bring new strength of leadership to the Capitol, asking tough questions of your government and listening to the concerns of the people in our community. I will be sure you have a strong voice in Indianapolis, and I will serve you earnestly, honestly and with integrity."

Not only did Rep. Smith generate news by his offer to Bosma and support of HJR-3, he was publicly rebuked by his gay son, Chris, who said on Facebook, "I'm not here to badmouth my dad. I'm terribly disappointed in his decision and beliefs, but he's not going to change them now if he hasn't after all these years of knowing I am gay. I have a lot of friends in Indiana still, and I wanted them to know I have their back. They are my extended family. Many of them are legally married in other states but have returned to Indiana only to be treated as second-class citizens. I'm not a very private person, so I have no problems being



public with my opinions. If anything undermines the relationship with my family, it's their belief that I'm not an equal."

Rep. Smith responded, saying "Of all people to get this it would be me with having a son that's gay and I love my son."

Chris Smith will appear on MSNBC's "News Nation" at 2:30 p.m. today.

**In HD85**, State Rep. Casey Cox, who voted to remove the second sentence, but supported HJR-3's passage on Tuesday, faces Ken Knoblauch, who opposed him in the caucus that replaced the late State Rep. Phyllis Pond, and perennial candidate Denny Worman. Little is known about Knoblauch or whether he intends to make HJR-3 an issue. The fact that Cox, a Fort Wayne attorney, won the caucus means he will have support within the Allen County GOP.

Of 11 other House Republicans who voted either to strike the second sentence or against HJR-3 – Reps. Steve Braun, Kevin Mahan, Todd Huston, Jerry Torr, Sharon Negele, Dan Leonard, Tom Saunders, Cindy Ziemke, Sean Eberhart, Wendy McNamara and Holli Sullivan – none has a primary opponent as of Wednesday morning.

Rep. Sullivan, who was appointed by caucus to fill the term of State Auditor Suzanne Crouch earlier this month, will face a possibly tough reelection bid from Democratic Vanderburgh County Commissioner Stephen Melcher in November.

And State Rep. Eric Turner will be challenged by former Post-Tribune Statehouse reporter Bob Ashley, a Democrat, in what is an overwhelmingly Republican district. "He's appealing to a minority of the voters," Ashley told WISH-TV. "I don't think it has a chance although I think it's just gonna cause trouble."

## Senate primaries

There are three primary races shaping up in the Senate. Washington City Councilman Eric Bassler is challenging State Sen. John Waterman in the SD39 Republican primary. Bassler posted close to \$90,000 and was endorsed by the Indiana Chamber of Commerce this week. "Eric Bassler is just the type of energetic, dedicated and thoughtful person to be a truly effective leader for the people and communities of southwest Indiana," said Jeff Brantley, vice president of political affairs for the Indiana Chamber. "Eric understands and will make a priority of economic growth, opportunity and job creation for Hoo-



**State Rep. Milo Smith (top) will face Bartholomew County Council President Ryan Lauer in the May Republican primary.**

siers." It is unclear if HJR-3 will become an issue in this race, with Waterman expected to vote for the amendment.

In SD31, State Sen. Jim Merritt is being challenged by Chystal LaMotte in the Republican primary, though LaMotte has targeted Merritt's length of service as a key issue.

In SD15, the open seat being vacated by State Sen. Tom Wyss, Allen County Sheriff Ken Fries, former Fort Wayne Councilwoman Liz Brown, Jeff Snyder and Allen County Councilman Darren Vogt have filed for the Republican primary.

In SD43, the seat being vacated by retiring State Sen. Johnny Nugent, Mark Schneider, a teacher from Columbus and school voucher supporter has filed. Chip Perfect has already filed.

Of all the incumbents facing primary challengers, HPI's Horse Race would rate only Sen. Waterman as vulnerable.

## Bock posts \$200,000

2nd CD Democrat Joe Bock, who announced his candidacy less than two months before the end-of-the-year filing deadline, will report raising over \$200,000 before Dec. 31 when his report is filed with the FEC. Bock and Democrat Dan Morrison are challenging U.S. Rep. Jackie Walorski. "Congress-

is broken and Congresswoman Walorski has made herself a central part of the problem in Washington, by voting against reopening the government during the shutdown," said Bock. "Voters are responding and showing they want someone who will fight for them," said Bock. "The way I see it, it is my patriotic duty to stand up for our friends and family in the second district, and replace the congresswoman who continuously chooses Washington politics over Hoosiers."

"The main reason I'm running for Congress is the dysfunction of our government, and the Tea Party seems to be the main culprit," said Bock (Elkhart Truth). "Congresswoman Walorski is clearly a part of that group."

"Playing the blame game might score points in Missouri, but in Indiana, Hoosiers expect more," Sam Frain, chairman of the Republican Party for the 2nd Congressional District, said. "Instead, Missouri state legislator Bock, an ardent supporter of Obamacare, should be explaining to the 108,000 Hoosiers who lost their health care why he supports a law that is hurting Hoosier families and small businesses."

## Rokita posts \$1.1M cash on hand

Hoosiers for Rokita released fourth quarter 2013 fundraising numbers showing Rep. Todd Rokita has nearly \$1.1 million cash on hand and brought in over \$300,000



from October through December. Hoosiers for Rokita raised approximately \$280,000 in the fourth quarter of 2013 and Rokita's leadership political action committee, the Fund for American Exceptionalism, raised nearly \$50,000 in the same period. Hoosiers for Rokita finished 2013 with nearly \$1.1 million on hand.

### Prosecutor Curry seeks reelection

Marion County Prosecutor Terry Curry announced Wednesday that he is seeking re-election for a second term. "From the early days of our campaign four years ago, we pledged to restore integrity and public confidence in the Marion County Prosecutor's Office," said Curry. "I believe we have made considerable progress on that front, but our work is far from finished. Marion County faces significant challenges as it relates to public safety, and we look forward to continuing to be active partners in identifying workable and sustainable solutions."

### Fisher's Kelly wants market driven projects

Fishers Republican mayoral candidate Walter Kelly commented today on a story from the Indiana Business Journal on January 28 that a development group that includes local office suite operator Yeager Properties is working on plans for a \$17.5 million mixed-use building and parking garage in downtown Fishers. The development is planned for the space formerly occupied by KFC at 116th Street and Lantern Road, next to Yeager's Fishers Office Suites. The plans call for a three-story, 50,000 square foot building with retail on the first floor and medical office uses above and an attached parking garage to replace the existing surface lot south of the office suites to be shared by tenants in both buildings. "From the IBJ article it appears the Town is again giving away valuable land in exchange for added congestion along the 116th Street and I-69 interchange," Kelly said. "Downtown Fishers should remain primarily a transportation corridor with small shops and limited obstruction," he added. Kelly also expressed concern that funding sources are being diverted from bigger priorities. "The creation of enormous tax increment finance districts to manufacture development for development's sake abandons the long view in exchange for a political resume bullet," Kelly said.

### Jeb to decide this year

Former Florida Gov. Jeb Bush says he will make a decision on whether to run for president in 2016 at "the right time" — later this year. "I don't wake up each day saying, 'Now what am I going to do today to make the decision?' I'm deferring the decision to the right time, which is later this year," Bush told Miami CBS affiliate WFOR-TV.

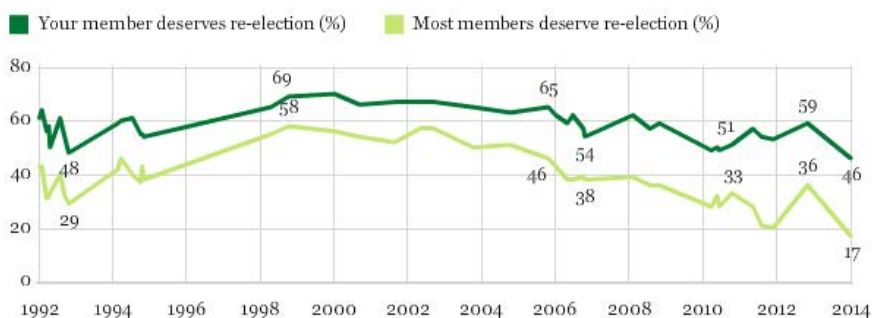
### Gallup finds low support for incumbents

The enduring unpopularity of Congress appears to have seeped into the nation's 435 congressional districts, as a record-low percentage of registered voters, 46%, now say the U.S. representative in their own congressional district deserves re-election. Equally historic, the share of voters saying most members of Congress deserve reelection has fallen to 17%, a new nadir. These findings are from Gallup's annual Mood of the Nation poll, conducted Jan. 5-8. The percentage of voters saying most members of Congress deserve reelection has been below its historical average of 39% since early 2008. The figure has plummeted since mid-2011, with a brief improvement to 36%, in November 2012, attributable to a surge in Democratic support at the time of the national election. The legendary Speaker of the House Tip O'Neill famously coined the phrase "all politics is local," a dictum that guided his Democratic majorities against Republican electoral waves in the 1980s. More generally, the saying describes the local versus national phenomenon that also occurs when the public is asked about such things as healthcare, education, and crime. But now that adage rings less true as voters see their own U.S. representative in the same way that they see most other members of Congress — as not deserving re-election.

Can 2014 be a "wave" election? The 17% of voters who now say most of Congress deserves reelection is well below the roughly 40% threshold that has historically been associated with major electoral turnover. With this in mind, Congress could be in for a major shake-up. Judging by net seats lost in an election as a percentage of the overall number of seats, 2010, 1994, and 2006 register as the top three recent elections. All of those years had election-year averages of 41% or fewer voters saying most of Congress deserved reelection, with the Republican wave election of 2010 registering the lowest, 30%, still 13 percentage points higher than the current reading. ❖

Americans' Views on Whether Their Member, Most Members of Congress Deserve Re-Election

Please tell me whether you think each of the following political officeholders deserves to be re-elected, or not. How about the U.S. representative in your congressional district/most members of Congress?



Registered voters

GALLUP

# Bosma making good on redistrict commission

By **BRIAN A. HOWEY**

INDIANAPOLIS – An independent, non-partisan redistricting commission – a longtime goal of House Speaker Brian Bosma – has passed the House by a wide margin and is heading to the Senate.

HB1032, authored by State Rep. Jerry Torr and co-sponsored by Bosma and Reps. Milo Smith, Terry Goodin and Justin Moed, passed the Indiana House on Jan. 21 by a 77-to-20 margin.

The legislation establishes a redistricting commission to create, hold hearings on, take public comment about, and recommend plans to redraw general assembly districts and congressional districts. It would require the Legislative Services Agency to provide staff and administrative services to the commission. It establishes standards to govern the commission and the agency in the creation of redistricting plans.

The legislation also provides that if the Constitution of the State of Indiana does not require the General Assembly to establish legislative districts, the commission's recommendations for legislative and congressional districts become the plans that define those districts. It provides that, if the Constitution so requires, the General Assembly must meet and enact redistricting plans before October 1 of a redistricting year. And it authorizes the General Assembly to convene in a session to act on redistricting bills at times other than the times the General Assembly is currently authorized to meet. It repeals the current law establishing a redistricting commission for congressional redistricting.

Moed had authored HB1262 that does much of the same functions. It was referred to the Elections and Apportionment Committee on Jan. 14 and no action has occurred since.

Bosma has long advocated the redistricting commission concept after assisting in drawing three different maps in 1991, 2001 and 2011. In two of those efforts, he was a minority member, while the 2011 maps helped House Republicans to forge a 69-31 majority in 2012.

"I've seen what political parties can do with the process and I think it's appropriate in a nonpartisan or bipartisan independent commission," Bosma told Indiana Public Media.

Bosma was an adherent to the Republican State Leadership Committee's "Red Map: The Redistricting Majority Project." As the House Republicans were poised to

retake the House in 2010, taking advantage of the political blowback on the partisan passage of Obamacare and Gov. Mitch Daniels' efforts to forge a House majority after four years of dealing with Democratic Speaker B. Patrick Bauer, Bosma said in October of that year, "This election will determine the leadership of this state for the next decade."

But in 2011 prior to redistricting, Gov. Daniels and Bosma pushed for new maps will be drawn more in the altruistic "communities of interest" mode as opposed to incumbent protection. It came after then Republican Secretary of State Todd Rokita conducted hearings around the state seeking to achieve the same goals. Daniels had repeatedly said he would veto legislation that relied on overtly partisan considerations.

During the 2011 reapportionment, Bosma took the originally drawn maps and incorporated changes that kept Democratic Reps. Ed DeLaney and Greg Porter in different districts and restored House districts that kept communities and schools in districts involving then Reps. Dale Grubb and Shelli VanDenburgh. "It was an open process," Bosma said. "We had discussions with people and it was all done in public. There were changes made and they were all publicly explained. People just aren't used to that kind of process but it was the right thing to do and I hope it sets the model in the future."

In May 2011, Bosma told HPI, "I hope this is the last time elected representatives draw their own districts. I firmly believe that the right place for this to happen is an independent commission that is balanced and can draw maps without some of the political concerns that even our open map process had to go through. I'm sure Rep. Torr and I will continue with our joint effort to amend our state constitution to allow for an independent commission."

The Republican majorities of 2010 in large measure helped initiate the forging of sprawling education reforms in 2011 that expanded charter schools and initiated school vouchers, as well as the passage of right-to-work legislation. The GOP majorities have also worked on anti-abortion issues, such as defunding Planned Parenthood, while creating an array of tax cuts for corporations, financial institutions and the repeal of the inheritance tax.

Senate Minority Leader Tim Lanane told Indiana Public Media that independent redistricting is something his caucus pushed for, unsuccessfully, in the past. "But there was a promise that we will definitely do this 10 years from now and, well, we're into 2014 and time flies, so it's time to get that idea back out there and move it forward," Lanane said.

## Mayors meet with Gov. Pence

A bipartisan group of mayors met with Gov. Pence on Wednesday making their case that a business personal property tax repeal needs to be accompanied by replace-



ment revenue.

Mayors attending included Republicans Greg Ballard of Indianapolis, Jim Brainard of Carmel, Duke Bennett of Terre Haute and Lloyd Winnecke of Evansville, along with Democrats Peter Buttigieg of South Bend, Tom Henry of Fort Wayne and Greg Goodnight of Kokomo.

It came a day before a coalition of city, county, township, library and other groups will make a pitch to "Replace, don't erase" between \$500 million and \$1 billion in revenues for municipalities.

Almost a month into the session, and with only six weeks remaining, the Pence administration has yet to articulate the "replace" mechanism that Gov. Pence promised during his State of the State address.

On Wednesday afternoon, the House defeated by a 61-28 margin an amendment to HB1001 proposed by State Rep. Greg Porter, D-Indianapolis, to establish a study committee. "We need some real facts," Porter said. "What data supports this? What does it mean to our communities."

HB1001 author - Rep. Eric Turner - described 1001 as a "local option" replacement vehicle. "We could study it, but it would be meaningless," he said. "It could be one county, 10 counties, 30 counties. I ask you to oppose it."

Porter responded, "Every 18 months to two years, there's a job announcement. Where are the jobs?"

While the Indiana jobless rate declined to 6.9% in December, a potentially explosive WTHR-TV investigation by reporter Bob Segall - "Hiding the truth about new jobs" - is scheduled to air Thursday night (See page 20).

Matt Greller, executive director of the Indiana Association of Cities and Towns, called the meeting Wednesday "productive."

"It's clear the governor understands the fiscal constraints cities are operating under," Greller said. "We cannot afford to lose \$1 without replacement and the governor is aware of that. He knows it's not all about taxes, but the quality of life in cities and towns."

Pence spokeswoman Christy Denault told HPI, "I can confirm that the Governor met today with mayors from across the state. He reiterated his support for measures moving through the House and Senate. The Governor also informed the mayors that he has been meeting regularly with fiscal leaders in the House and Senate to ensure that a phase out of the business personal property tax does not unduly burden local communities or shift the burden to hardworking Hoosiers.

Denault released a letter Pence sent to mayors where he said, "There are currently two bills that reform business personal property tax. House Bill 1001 would give the county income tax council the option of phasing out business personal property tax on new investment. SB1 would eliminate the business personal property tax on businesses with less than \$25,000 in personal property assessed valuation. I support both bills and look forward to continuing to work with House and Senate fiscal leadership to improve them as we work toward a final solution.:



## GALLUP DAILY Jan 26-28, 2014

Obama Approve 41%; Disapprove 50%  
Congressional Approval 13% (Gallup, Jan. 5-8)

### 2014 Generic Congressional Vote

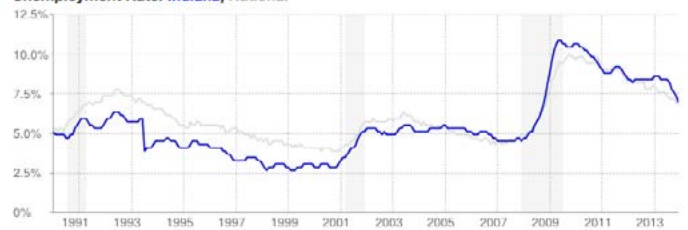
2010 Midterm Polls | 2006 Midterm Polls | 2002 Midterm Polls

Polling Data					
Poll	Date	Sample	Republicans	Democrats	Spread
<b>RCP Average</b>	1/12 - 1/26	-	41.5	41.0	Republicans +0.5
PPP (D)	1/23 - 1/26	845 RV	42	40	Republicans +2
Rasmussen Reports	1/20 - 1/26	3500 LV	37	42	Democrats +5
ABC News/Wash Post	1/20 - 1/23	RV	46	45	Republicans +1
FOX News	1/19 - 1/21	1010 RV	43	41	Republicans +2
Quinnipiac	1/15 - 1/19	1933 RV	38	37	Republicans +1
GWU/Battleground	1/12 - 1/16	1000 LV	43	41	Republicans +2

All 2014 Generic Congressional Vote Polling Data

Unemployment Rate	December 2013	Month/Month	Year/Year
National	6.7%	-0.3	-1.2
Indiana	6.9%	-0.4	-1.4

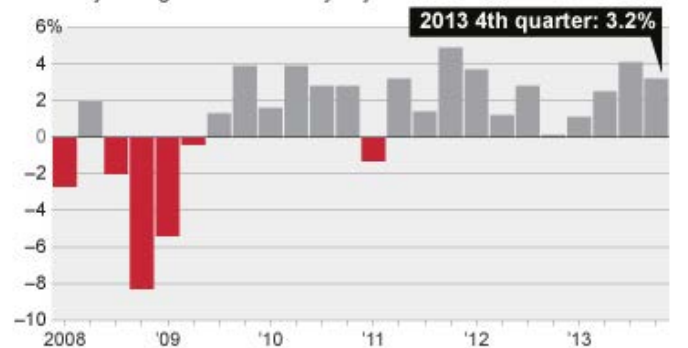
Unemployment Rate: Indiana, National



Note: Recessions shown in gray

### U.S. GDP Growth

Quarterly change at a seasonally adjusted annual rate



Source: Commerce Department The Wall Street Journal

Pence added, "I have heard concerns about these proposals from some local officials and organizations. I want to assure you that I understand your concerns. You provide essential services to your citizens, and I can see why some believe the phase-out of the business personal property tax could threaten service delivery. I believe the approach we are taking will protect communities and also make them more attractive to investment and job creation." Pence added, "I have said that we cannot phase out this tax in a way that shifts the tax burden to hard-working Hoosiers. You may be assured that I will stand by these commitments to your community and your citizens."

Evansville Mayor Lloyd Winnecke told the Evansville Courier & Press, "He reiterated to us that he would not sign any legislation that was not revenue neutral to communities. He reiterated that point several times during the meeting. That was very well received from all the mayors that were represented."

### **Mahan's second impassioned speech**

If one were to ask which House floor speech caught the most attention this week for Rep. Kevin Mahan, R-Hartford City (HD 31), the universal answer would be his impassioned remarks Monday evening in support of stripping the controversial second sentence from HJR-3. He clearly positioned himself apart from a majority of his own caucus. The very next day, however, Mahan was yet again vocally pleading against many of his Republican colleagues and was also ultimately successful.

The issue was a legislative priority to Mahan: a bill (HB 1036) he authored to impose certain standards and requirements for the facilities, staff, and operations of daycares receiving money—roughly \$178 million per year—from the Child Care Development Fund (CCDF). Noncompliance could result in decertification and a loss of funding. Mahan hopes to build on last year's legislation that, among other things, requires staff criminal background checks for nurseries accepting CCDF funding.

On Dec. 11, Mahan toured four daycares researching his bill. "I saw firsthand and was reminded once again why the legislation I am bringing forth in the upcoming session is so very important!!," he wrote on his official Facebook page. "What are your thoughts of allowing 24 children of various ages to be supervised by only one adult while they are collecting tax dollars to do so?" Mahan hopes to remedy that by setting operational standards such as child-to-staff ratios in addition to facility requirements like functional bathrooms, sinks for handwashing, and proper nutrition. It also requires facilities to report possible child abuse.

On its third reading Tuesday, floor discussion brought considerable scrutiny from some of Mahan's Republican colleagues, such as Rep. Woody Burton. This was generally predicated on religious freedom concerns as regards activities and curriculum. Committee work and additional language tried to satisfy these reservations earlier but still Republican Reps. Wes Culver, David Frizzell,

and Rhonda Rhoads were the only 'nays' when the Family, Children and Human Affairs Committee voted 9-3. They maintained their opposition Tuesday.

Mahan was notably exasperated with these sustained objections as he closed before the full House. His legislation does, indeed, mandate organized "daily activities" for children, but he was adamant this would not interfere with religion. Calling attention to the neglected children he encountered during his inspection tours, an emphatic, if not emotional, Mahan held up photographic evidence. He said some minority and disadvantaged children, especially, were entering kindergarten, despite having attended CCDF daycares, not knowing, for example, how to hold or leaf through a book. He acknowledged this might not be happening in many of his fellow members' districts, but he assured them it was still a Hoosier reality—and something needed to be done. He also commented that religious status was sometimes simply a cover for bad apples, telling the chamber that a manager at a substandard daycare visited could not identify or provide their religious affiliation or denomination.

HB 1036 did pass with strong bipartisan support (71-24) and, like Monday night in regards to amending HJR-3, those arrayed against Mahan's position were only from among his Republican colleagues. It is readily apparent Mahan, no in his second term, thoroughly investigated the issue, collaborated with Legislative Services to hone the bill's language, addressed wide-ranging concerns and objections when making early amendments, and, generally, won the praise of fellow committee members for his commitment and effort. "I want to thank Kevin for his willingness to listen to so many different people and the time he put into it," said Rep. Dale DeVon who had initial religious concerns. It will be interesting to see how the regulations in HB 1036 and their implications for religious-affiliated entities will be received in a markedly more conservative Senate. - Matthew Butler

### **F schools receive \$9 million in vouchers**

According to the latest voucher school report from the Department of Education, D and F voucher schools received nearly \$9.5 million from Indiana tax payers. These low rated schools had double the amount of voucher students as voucher school who received an A. Ambassador Christian School is the leading recipient of voucher money, collecting more than \$1.2 million in tax money with 257 voucher students enrolled. Ambassador Christian School received a grade of F for 2013. Private voucher schools are trending lower in letter grade performance. This year, barely a majority of private schools received an A, down more than 30 percentage points since 2011. However, more than two-thirds of public schools, who accept all students, received an A or a B and just 14% received a D or F. ❖

# Congress dodges on continuing resolutions

By **LEE HAMILTON**

BLOOMINGTON – In Congress, continuing resolutions and omnibus bills lift responsibility from most members' hands. They produce decisions, but not in an open, democratic process.

Now that Congress has its immense, \$1.1 trillion bipartisan funding bill in hand, Capitol Hill is breathing easier. They ended the specter of a government shutdown for the moment, and funded the federal budget for most of the year. The media have been commending Congress for finally doing its job.



This praise works only in the context of recent history, however. The bill that congressional leaders produced is hardly a triumph. Instead, it's another example of Congress's stubborn determination to deal itself out of the budgeting process. Let me

explain.

In recent years, Congress has funded the federal government in one of two ways. Either it's passed a "continuing resolution," which is a stopgap measure to keep the government functioning with the same funding it had previously, or it's passed huge omnibus bills like the one it just enacted. This most recent bill runs more than 1,500 pages.

Before this current budgeting era, however, Congress used procedures that put the ideals of representative democracy into practice. It divided its responsibilities into policy development, which was in the hands of its various "authorizing" committees; and establishing funding levels, which was done by the appropriations committees in the House and Senate. Once the President submitted his proposed budget, the appropriations committees and their subcommittees would meet, hammer out the issues, and fund the government according to the policies set by the authorizing committees. They would hold hearings, debate furiously, accept and reject scores, if not hundreds, of amendments, and ultimately produce a series of appropriations bills generally divided along federal department lines. These would go to the floor of each chamber, where they'd be debated again, and finally to a conference committee, where each side of Capitol Hill would have a final chance to weigh in.

**The process didn't work** perfectly. It produced hiccups and grandstanding, and required a lot of negotiation and compromise. But it also spread the work of Congress among expert members, employed the capabilities of dedicated and knowledgeable legislators who

knew the various departments and agencies of the federal government intimately, and provided for deliberation, open debate, accountability, and a reasonably democratic outcome. Rank-and-file members understood, grappled with, and took responsibility for what they produced and voted on.

**No more. Continuing** resolutions and omnibus bills lift responsibility from most members' hands. They produce decisions, but not in an open, democratic process. They're basically developed in secret by a handful of leaders and their allies and staff; allow very few, if any, amendments; sharply limit debate time; severely restrict members' ability to study thousands of provisions; and require an up or down vote.

Most troubling, they're larded with policy decisions that in the old days would have been debated by the authorizing committees. This most recent measure boosts funding for Head Start, prevents the President from transferring control of military drones from the CIA to the Defense Department, and bars postal officials from ending Saturday delivery – all policy decisions that should have had a robust debate, but won't.

Of course, plenty of people in Washington like this. Congressional leaders have more power than if they had to defer to the judgment of the authorizing and appropriations committees. The White House likes it because it involves fewer people, making life simpler. Even some rank and file members like it, because it allows them to avoid making hard choices about individual programs.

**Which is a problem.** With omnibus bills, the truly difficult but crucial work that Congress needs to be doing doesn't get done. It isn't scrutinizing the budget of each department in sufficient detail to look for programs and line items that have outlived their usefulness or that need more investment. It can't examine and analyze difficult policy questions carefully. It won't question whether entire agencies and even departments still serve the purposes they were designed for. It isn't even bothering to look beyond discretionary spending to consider reforms to Social Security, Medicare and Medicaid, which is where most federal spending goes.

Congress no longer seems to know how to run a budget process. Most of its members have never experienced the traditional method. They just know how to hold their noses and vote up or down. ❖

**Lee Hamilton is Director of the Center on Congress at Indiana University. He was a member of the U.S. House of Representatives for 34 years.**

# Indiana farmland increasing in value

By **LARRY DeBOER**

WEST LAFAYETTE – At the end of December, Indiana's Department of Local Government Finance (DLGF) calculated the base rate assessment for farmland to be used for taxes in 2015. Predictably, the base rate increased to \$2,050 per acre. That's a 16% increase over the pay-2014 value of \$1,760, which was an 8% increase over 2013's \$1,630. The base rate is the starting point for farmland assessments. Assessed value for each acre is the base rate adjusted by a soil productivity index and sometimes by an influence factor.



I mean "predictably" literally. The numbers used to calculate the base rate enter the formula with a four-year lag. To figure the base rate for 2015 taxes, DLGF used data on rents, commodity prices, yields, interest rates and costs for 2006 through 2011. All those numbers were available a year ago. Run them through the formula, and your prediction should be right on.

That means it's possible to predict the base rate for taxes in 2016 using data through 2012. It comes out to \$2,420, an 18% increase from the 2015 value. The 2017 base rate will use data through 2013. Almost all of those numbers are available now. The base rate for taxes in 2017 will be around \$2,770, a 14% increase. As a result of all these assessment increases, agricultural property taxes have risen by a third since 2007. Property taxes as a whole have fallen 15%.

Why the increases? Corn and bean prices were high until recently. Rents have been increasing. These numbers are used to estimate the income earned from farming an average acre. Meanwhile, the national economy suffered a deep recession, so the Federal Reserve cut interest rates to rock bottom lows. The base-rate capitalization formula divides income by an interest rate. Income is up and the interest rate is down, so up goes the base rate.

**Commodity prices** have dropped, and interest rates may edge upward this year. This may reduce the income capitalization calculation for 2014. The four-year lag means that these new numbers won't affect taxes until 2018.

Couldn't you change the base rate formula to slow these increases? There's a problem with that. The property tax is a tax on the value of property, and the value of farmland is going up. Its average price has just about doubled since 2007, according to the Purdue Department of Agricultural Economics farmland value survey (on the

Web at [http://www.agecon.purdue.edu/extension/pubs/farmland\\_values.asp](http://www.agecon.purdue.edu/extension/pubs/farmland_values.asp)).

The farmland assessment formula is constrained by the Indiana Supreme Court. In a December 1998 decision, the court said assessments must be based on objective measures of property wealth. Every number in the base rate calculation is objective.

**That's why you can** get the data to predict the base rate in advance. Income capitalization is one of the recognized methods for determining the value of property. Attempts to slow the base rate increase by changing the formula might not be defensible in court, if the changes were ever challenged. The formula could be challenged. Some property tax experts have argued that farmland assessments actually are too low. The base rate per acre was \$1,760 in 2013 (for taxes in 2014), while the market value of an average farmland acre was \$7,446.

So farmland is assessed at about a quarter of its market value. Reduce the four-year data lag to two years, so farmland assessments catch up with rising values, and the base rate is still only 33% of market value. Farmland gets a huge tax break from the assessment process, despite the base rate increases.

Homesteads are assessed at their full market values. But they aren't taxed at those values. Homesteads get deductions. Statewide, homestead taxable assessed value is only 43% of market value. In rural counties, where farmland is more than 10% of assessed value, only 38% of homestead market value is taxed.

**Farmland gets its tax** break above the line from the assessment process. Homesteads get their tax break below the line from big deductions. The farmland tax break is more generous than the homestead tax break, but not by as much as it may seem. And tax break or not, farmland tax bills are likely to rise faster than homestead tax bills, at least through 2017. ❖

**DeBoer is a professor of agricultural economics at Purdue University.**

## U.S. economy grew 3.2%

WASHINGTON – The economy grew 3.2 percent in the final quarter of 2013, shrugging off the effects of the fall's government shutdown and debt standoff, and raising hopes that the recovery was finally getting more robust (New York Times). The pace of expansion in October, November and December slowed a bit from the third quarter, when the economy grew at an annual rate of 4.1 percent. For all of 2013, the Commerce Department said on Thursday, the economy expanded at an annual rate of 1.9 percent. That was down from 2.8 percent in 2012. The fourth-quarter number, which was the Commerce Department's first estimate of the economy's performance in the period, was about the same as economists' expectations.

❖

# Obama's SOTU ignores agriculture

By **BOB KRAFT**

INDIANAPOLIS - My first reaction to President Barack Obama's State of the Union address Tuesday evening was to wonder why agriculture received no mention



whatsoever. With our dysfunctional Congress congratulating itself on finally reaching a compromise on a farm bill earlier in the day, it seems the President could have used that as a timely example of the bipartisan cooperation he has been demanding.

But no, I heard no mention of it whatsoever. Since my mind wandered occasionally during the evening, I thought I may have missed at least a passing reference to ag, so I

downloaded a copy of the speech and ran a word search. Neither "farm" nor "agriculture" made it into an hour long discourse by our nation's chief executive on the state of our union.

To his credit, the President did address a couple of issues that are important to farmers and rural America. The need for meaningful immigration reform remains high on the list of agriculture's needs, especially in the areas of specialty crops and food processing.

Obama cited the need to improve our country's aging infrastructure and proposed a "fix-it-first" program which would immediately address the country's most urgent infrastructure repairs. He specifically cited "the nearly 70,000 structurally deficient bridges across the country." But he also proposed a "Partnership to Rebuild America" designed to attract private capital to address the nation's infrastructure improvement needs. My concern with such a program is that private capital will understandably demand a payback and, unless it is intentionally structured to do otherwise, will make investment in rural infrastructure less attractive than that in more heavily populated areas.

**The President also** noted the importance of international trade although he made no specific mention of trade in agricultural commodities. He assured Congress that he intends to complete a Trans-Pacific Partnership and launch talks on a comprehensive Transatlantic Trade and Investment Partnership with the European Union. This sounds great except he didn't acknowledge the very real issues of intellectual property rights, the EU's reticence or refusal to accept GMO crops produced in America, or Canada's – to say nothing of our domestic livestock industry's – issues with country of origin labeling, that must be addressed.

Apart from a general statement that America is "poised to take control of our energy future," the President made no mention of biofuels or the progress that has been made to develop an agricultural based source of renewable energy. This is probably not a surprise because the Environmental Protection Administration has just closed the comment period on a proposed renewable fuel standard rule that will decimate the ethanol industry.

**While the issues raised** by the President Tuesday evening were appropriate and unquestionably important for the country, it is nevertheless disappointing that he so completely ignored agriculture.

After reviewing the State of the Union speech, I began to wonder if agriculture had fared any better at the state level, so I downloaded a copy of Gov. Mike Pence's Jan. 14 State of the State address and ran a similar search. Gov. Pence did include agriculture in his speech by observing that, "Indiana is agriculture and we need a permanent fix to the soil productivity factor."

Gov. Pence's observation was certainly welcome and there is no question that the ongoing issue of how to fairly adjust farmland assessments to reflect the productivity capacity of various soil types needs to be resolved. It is interesting that this is even an issue because it is predicated on the bureaucratic assumption by the Department of Local Government Finance under the Daniels administration that somehow the nature of dirt changes every few years.

Like the President, Pence acknowledged that "roads mean jobs." But the governor went one step further and specifically asked for the release of "\$400 million for the next era of highway expansion, and put people to work now."

The governor also stated, "Because Indiana's regional cities are vital to our state's economic development, we need public and private investment to improve quality of life." Again, by definition cities are not where the state's farms are, but this statement at least demonstrates that he recognizes there are important economic centers across the state.

**Agriculture was not featured** prominently in either "State of" speech. Perhaps this is simply a tendency of those involved in agriculture to go about their business and maintain a low profile. Perhaps it is to be expected when farmers comprise something less than two percent of the population. Perhaps our chief executives' speechwriters think that food comes from grocery stores.

Whatever the case may be, one can only hope that, although their agenda-setting speeches focused primarily on other matters, issues of importance to rural America and rural Indiana will receive high-level attention during the next year. ❖

**Kraft was a long-time director of the Indiana Farm Bureau's public affairs.**

# Fettig takes aim at Kentucky's McConnell

By JACK COLWELL

SOUTH BEND – Greg Fettig wants the Tea Party to do for Kentucky what it did for Indiana.

Most of you never heard of Greg Fettig. But he has a following, a cause and a claim of playing a big role in Indiana politics in 2012. Now, he wants to replicate that role in Kentucky politics.

Fettig, a co-founder of Hoosier Patriots, a group associated with the strongest of Tea Party brews, was one of the leaders of the successful effort to defeat Sen. Dick



Lugar in the 2012 Indiana Republican primary. He, along with higher profile figures such as Chris Chocola of the Club for Growth, supported Richard Mourdock.

Although Mourdock self-destructed in the fall campaign, resulting in Democrat Joe Donnelly winning the supposedly "sure" Republican seat, Fettig considers the Indiana effort a success.

He seeks now to play a similar role in defeating Senate Republican Leader Mitch McConnell in the Kentucky Republican primary this May. He is seeking to organize grass-roots support for Tea Party favorite Matt Bevin, hoping that Bevin can become the Mourdock of Kentucky. Well, not exactly like Mourdock in the general election.

Fettig makes no secret of his objectives. When U.S. News and World Report did a piece on his involvement in Kentucky, Fettig told the reporter that if "we beat McConnell we can prove we can do back-to-back Senate races and we can take anybody out if we work together."

**Whether many** of the national conservative groups that spent heavily in Indiana to defeat Lugar will join the Kentucky Tea Party enthusiasts against McConnell is uncertain.

Some national GOP strategists such as Karl Rove won't. Taking out McConnell, they fear, could lead to the third consecutive election where Republicans fail to win a Senate majority because of nomination of tea party candidates coming on as extremists in the general election. Harry Reid remains Senate majority leader thanks to loss of those "sure" Republican

seats.

The Kentucky race already is no "sure" Republican win. One December poll showed McConnell with only a 43-42 percentage lead over the expected Democratic challenger.

**But Fettig makes clear** he's not worried about the Republican Party structure. In his summary on his LinkedIn social networking website, Fettig supports: "Primary focus on dismantling the GOP by systematically targeting and defeating spineless career politicians who suffer from premature capitulation. From the ashes will rise a rebirth of OUR party, the true home of CONSERVATISM, from which we will fight the new USA Communist Party, aka the Democrats, at every level from local to state to national office.

"We took out career elitist RINO (Republican in name only) Richard Lugar in Indiana by a 21 point victory, and now our sights are on Mitch McConnell . . ."

Fettig goes on to contend that McConnell "sold out the nation to Harry Reid and Barack Obama by caving in" to allow passage of the continuing resolution that ended the government shutdown.

"This is an all out war for survival of the country," he continues, "and until we rid our party of RINOS we cannot devote our undivided attention to killing liberalism once and for all."

The Hamilton County activist says he picked up followers after "a hit piece" about him on the Huffington Post. The piece followed up on the U.S. News story with comments from him about conspiracy theories.

**He believes unknown** forces orchestrated the 2008 financial collapse to make Obama president and that the president was not born in the United States, Huffington reports. The piece notes that Fettig in his podcast calls Obama "an illegal president" who "is intent on collapsing and destroying the United States of America. He hates America." He also calls Obama "a Muslim communist."

With that view, it's no wonder that he wants to defeat any Republicans working with or compromising with the president.

He also warns of civil war, with the Department of Homeland Security buying "enough bullets to shoot every American six times over." Presumably, Homeland Security would be against Americans.

Will Fettig and his followers do for Kentucky what they did for Indiana?

Harry Reid certainly hopes so. ❖

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





# Who is 'Uncle Sugar' really helping?

By SHAW FRIEDMAN

LAPORTE - Last week's absurd comments by talk show commentator and erstwhile Republican presidential candidate Mike Huckabee conjured up images of supposed welfare queens who can't "control their libido" and expect the government or "Uncle Sugar" to subsidize birth control. This not only shows continuing GOP insensitivity to women's reproductive decisions, but it intentionally ignores the continuing effort to raid federal and state treasuries by the biggest corporations and wealthiest among us.



It's also part of a continuing, intentional campaign by certain corporate-funded politicians to try to demonize the poor while diverting attention from the rich and well-connected who continue getting even wealthier thanks to "Uncle Sugar's" largesse.

Interestingly enough, the public is finally on to this charade. Many voters aren't going to be

fooled by these efforts by certain rich political donors like the Koch Brothers to distract from issues of income inequality by pointing the finger at the poor over food stamp benefits or trying to deny contraceptive coverage required under the Affordable Care Act.

Fortunately, economic populism is growing as a political phenomenon and is a force to be reckoned with. A new Pew Poll finds an overwhelming majority of Americans – and even 45% of Republicans – support government action to reduce inequality with a smaller but still substantial majority favoring taxing the rich to aid the poor. Sure, Americans still admire rather than resent success. It's not a question of class envy. But the simple fact is that more and more people "get it" that gross income inequality and the showering of government largesse on the rich and powerful is not in the national or even our state's best interest.

It's particularly galling to hear this group of 80 highly paid CEOs lecturing Congress, through organizations like "Fix the Debt" about the supposed need to cut Social Security, Medicare and Medicaid while seeking to lower tax rates for millionaires, billionaires and the largest corporations in America. These are some of the CEOs who head corporations that received a



total taxpayer bailout of more than \$2.5 trillion from the Federal Reserve and the Treasury Department and nearly caused the economy to collapse five years ago. Yet bank CEO bonuses continue even as many average bank employees exist on subsistence wages requiring them to go on Medicaid, CHIP or food stamps. That's right, our most profitable and taxpayer subsidized sector, finance, still pays subsistence wages to its employees requiring you and me to help subsidize their employees with public benefits. Who's Uncle Sugar helping now?

**1. Those same CEOs have outsourced** hundreds of thousands of American jobs to China and other low wage countries, forcing their workers to receive unemployment insurance and other benefits. Why should Uncle Sugar pick up the tab for that greed and lack of patriotism?

**2. Those same CEOs avoid** paying U.S. and Indiana taxes at a time of record corporate profits. According to new analyses in both the Wall Street Journal and Bloomberg, 60 U.S. companies parked a combined \$166 billion offshore, allowing 40% of their annual profits to escape U.S. taxes. Worse yet, tax practices incentivize such loopholes. And the impact on state revenues is acute. Corporate tax dodging with devices like offshoring, transfer pricing and a host of shelters are costing Indiana half a billion dollars a year!

**3. Dozens of these companies paid** no corporate income taxes in at least one year since 2008 while receiving billions in tax refunds. In Indiana, highly profitable corporations like Eli Lilly and NiSource actually paid zero state income taxes in at least one year between 2008 to 2010 by using various tax gimmicks stuck into the tax code by Uncle Sugar.

Mind you, these various corporations and the wealthy CEOs who head them like to see public ire diverted to debates about reducing Medicaid or food stamps, are yet those same companies are benefitting from public investment and benefits that they don't want to pay for. The larger the corporation, the more they benefit from public investments in research, infrastructure, regulations, law enforcement, the courts and public education.

Some of these companies and their CEOs who have taken gross advantage of Uncle Sugar's largesse have the nerve to be active in media campaigns designed to supposedly deliver "austerity" and "belt tightening" to the poor and middle class in the name of fixing the debt crisis.

Before these fat-cat CEOs and highly profitable corporations start complaining about

food stamps or Medicaid or some assistance to the already overburdened middle class and the poor, perhaps a look in the mirror is long overdue. Why should ordinary taxpayers – the average Hoosier – have to sacrifice basic services like public safety, decent schools, parks and quality of life while these highly profitable corporations use accounting acrobatics and tax havens to avoid paying their fair share of federal and state taxes?

**Uncle Sugar has**, for far too long, been in the grip of the powerful and the well-connected and both

the federal and state government have looked the other way while the most profitable corporations and wealthiest individuals among us skipped on their obligations to the general welfare. ❖

**Shaw Friedman is former legal counsel for the Indiana Democratic Party and a longtime HPI columnist.**

# Gov. Pence and Cline Avenue

By RICH JAMES

MERRILLVILLE – If Gov. Mike Pence were up for reelection in the coming weeks, he likely would do even worse than Republicans usually fare in Democratic Lake County. You might call it road woes.

U.S. Sen. Joe Donnelly of South Bend started the assault a week ago when he ripped the state administration for failing to have the Cline Avenue bridge rebuilt as a freeway. It has been more than four years since the bridge was closed because of its deteriorating condition. Former Gov. Mitch Daniels refused to rebuild the bridge, citing the cost of about \$133 million.



Less than two years after Cline was condemned and closed, the state spent \$20 million to reopen the Sherman Minton Bridge that links Louisville, Ky., and New Albany on the Indiana side of the Ohio River. The work took eight months.

Instead of rebuilding the Cline Avenue bridge, Daniels proposed turning the road over to the private sector to have it rebuilt as a toll road. Pence has taken the same stance. Nothing has happened to date. Donnelly said the bridge should be rebuilt as a freeway for a couple of reasons, it was built as a freeway and the state can afford it. Donnelly also said Cline is a vital link to the Indiana Toll Road.

**That wasn't the end** of the Cline Avenue saga. The state was forced to close the southern portion of Cline Avenue, the main artery to East Chicago steel mills, Jan. 11 because of the volume of cars that suffered severe damage from potholes.

County Commissioner Mike Repay said he told

state Rep. Ed Soliday of Porter County, chairman of the House Transportation and Roads Committee, that the road was in terrible shape well before the winter storms hit. Repay told The Times of Northwest Indiana that Soliday told him the area gets its fair share of state road money.

**And just last weekend** another chapter was written on Cline Avenue. Three veteran employees of the Indiana Department of Transportation were fired for posting a video on Facebook showing the deplorable condi-



tions on Cline, as well as complaining about what they said were horrendous working conditions. One of the fired workers said it took him eight hours to patch just a mile of potholes. The state responded to the Cline mess by saying INDOT spends more in Lake County on road projects than in any county other than Marion County. And, the state said, Cline is scheduled for resurfacing in the spring.

The final attack on INDOT came from a series of interviews with interstate truck drivers who called Indiana highways among the worst in the nation when it comes to maintenance and snow removal. The state responded by saying it had its full complement of snowplows out during the recent storms in Northwest Indiana. Perhaps, therein lies the problem. The state apparently needs more plows. ❖

**Rich James has been writing about state and local government and politics for more than 30 years. He is a columnist for The Times of Northwest Indiana.**

**Monica Boyer, Not on My Watch Blog:** This blog will certainly upset the "Christian Apple Cart." And to be honest, that's its intent. I originally wrote a nice, politically correct, poetic piece in hopes that folks from all sides of the aisle will read it. I scrapped it. Every day, I speak to hundreds of people from all different walks of life. Every chance I get to further the cause, I speak unashamed to anyone who will listen. This blog is different. This blog is directed to a targeted audience. Let me clarify that. Today I speak to the born again, Jesus following, saved, sanctified, church of Jesus Christ. If you're not of that group there is a back button below with a link to plenty of articles on this blog that might intrigue you. This one does not apply to you. Last night televisions all across America were tuned in to watch the 2014 Grammy awards. It was noted on Inside TV, that this was the biggest audience in a decade. This report stated that according to CBS, the telecast drew 26.7 million viewers. 26.7 million viewers. Wow. I saw little glimpses of what was to come that evening from news clips, and breathed a sigh of relief that my husband and I had made the decision to get rid of cable just over a year ago. I knew it was going to be pretty raunchy when I read the news article that the Grammys were going to include a mass wedding of 34 couples both gay and straight, officiated by Queen Latifa. What followed however, stopped me in my tracks. It wasn't the pictures on the news broadcasts of scantily clothed women, or the satanic rituals that unfolded at the Grammys. It was post after post of googly-eyed support for the performers on my Facebook news-feed from CHRISTIANS. Bible believing moms and dads excited about watching the Grammys and allowing their children to watch the spectacle. Facebook statuses that raved over every performance. What has happened to the cause of Christ? What has happened to the followers of Jesus Christ being set apart from a world saturated with sin? We've been so worried about promoting this seeker-friendly doctrine that makes people "feel good" in order to keep our pews full, we've forgotten that we are to live HOLY lives. We are to live our lives separate from the world.



**Doug Ross, NWI Times:** This week's theme, apparently, is taxes on businesses. Along with the continuing discussion in Indianapolis over personal property taxes for businesses, there has been discussion of other business taxes. MONDAY: U.S. Sen. Joe Donnelly urges lowering the corporate income tax rate to about 25 percent. WEDNESDAY: U.S. Sen. Dan Coats also proposes lowering the corporate income tax rate as part of his 2014 legislative agenda. THURSDAY: Rex Richards, president and CEO of the Greater Valparaiso Chamber of Commerce, says the tax burden on Indiana businesses has been increasing. The top U.S. corporate income tax rate is 35 percent, said to be the world's highest. The reality, though, is corporations pay about 17 percent, on average, in part because

of all the loopholes Donnelly and Coats want to eliminate. Why would a business support a proposal that would increase its tax burden? Because then it'd know where it stands. Donnelly spoke of AT&T's CEO telling him, "Look, what we want is certainty for a couple of years. Right now there's more cash on the sidelines with American businesses than in any time in history." It's as if we were at a high-stakes poker table, and every one of the gamblers is afraid to place a big bet. Except in this case, that big bet isn't a stack of poker chips. It's a major investment in machinery, a new location or other business expansion, or some other business investment that translates into a lot of new jobs.

**Mark Bennett, Terre Haute Tribune-Star:** Mister Spock would look at the situation in Indiana and, in that dispassionate "Star Trek" voice, utter a firm conclusion. "That is illogical," he'd say. A new state law forces school districts to apply their revenues from property taxes toward debt payments before other expenses — a fiscal responsibility measure. For many districts, the "protected levy" law would cause hefty cuts to their transportation budgets. Some expect to curtail or even eliminate school bus services, especially districts in counties hard hit by diminishing industrial bases and lost taxes paid by those businesses. Those funds helped repair old buses and buy new ones. Thus, more Hoosier kids may have to walk to school. Also, more teens may drive or share rides to school. In the dark. The Indiana Legislature is currently considering two bills to address the impact of the protected levy law, which takes effect July 1. Some districts already have reduced bus service because of revenue losses from property-tax caps enacted in 2008. Goshen Community Schools Superintendent Diane Woodworth, in an interview with CNHI Indiana Statehouse reporter Maureen Hayden, said she asked teachers to urge students affected by bus cuts to stay on the sidewalks as they walk to school, especially on dark winter mornings. "It's frightening some mornings to see those children out walking in the dark," Woodworth said. This is "The Decade of Unintended Consequences" in Indiana, thanks to the Legislature. This same governmental body that enacted daylight saving time in 2006, putting most of the state in the Eastern time zone, should seriously consider the more logical option — placing all of Indiana on Central time. Yes, yes, the arguments remain fresh in mind eight years later. And lots of Hoosiers, myself included, have grown accustomed to the long summer nights afforded by Eastern Daylight Time. But, given the predicament facing schools, students and their families, Central time makes more sense. Kids would walk to school more safely in daylight. The sun rose Wednesday over Terre Haute at 8:05 a.m. Classes start around that time in most Hoosier schools. If Indiana clocks followed Central time, the sunrise Wednesday would've been at 7:05 a.m. In fact, the latest sunup in 2014 would be 7:10 a.m., according to Jeff Sagarin. ❖

# Questions on job numbers

INDIANAPOLIS - While state leaders boast of a new job transparency law and a new job transparency website, a new report released Wednesday suggests Indiana has taken a significant step backward in providing public information about its economic development activities (Segall, WTHR-TV). Good Jobs First, a Washington, D.C.,-based non-profit, non-partisan resource center that tracks economic development policy and transparency, has released its 2014 report card that analyzes and ranks all 50 states on their transparency involving job subsidies. The detailed report, titled "Show Us the Subsidized Jobs," ranks Indiana 13th among states for its online subsidy disclosure. That is a surprising drop for the Indiana Economic Development Corporation's website, which was recently upgraded with the addition of a searchable online portal in an effort to improve transparency. IEDC's website ranked 8th in GJF's 2010 report and 2nd in 2007. For its analysis, GJF scored each state based upon 23 criteria in seven categories. Indiana received a total of 171 out of a possible 500 points for an average score of 34. By comparison, Illinois (65), Michigan (58) and North Carolina (48) took the top three spots in this year's transparency rankings, while the bottom four states (Arkansas, Delaware, Idaho and Kansas) all received an average score of 0. "There are some things Indiana does well, much better than other states," said GJF executive director Greg LeRoy, while looking at Indiana's transparency portal. "But overall, this is not cutting edge disclosure. It's primitive in terms of giving you what you need to know, and to know if you're getting a bang for your taxpayer buck." Indiana scored high for providing user-friendly features to search the transparency portal and



for disclosing the value of the subsidies and tax incentives awarded to companies. But GJF researchers gave Indiana low scores for failing to report the actual number of jobs created and actual wages paid by the hundreds of companies that are getting public tax dollars in exchange for job creation. IEDC has argued a corporation's job-specific data is confidential information that, if released, could harm a company and make it vulnerable to its competitors. When asked last year at a legislative public hearing to provide evidence to support that position, IEDC president Eric Doden admitted the agency has no such evidence. "The whole argument is balderdash," LeRoy told WTHR. "There's no evidence from any state - and we now have 45 states and the District of Columbia disclosing company-specific data online - that there's any harm to business climate. There's no state that can site evidence that they lost a deal or a company because they disclosed outcomes."

## Delegation writes on propane woes

WASHINGTON - The entire Republican congressional delegation for Indiana sent a letter to U.S. Department of Transportation Secretary Anthony Foxx Wednesday requesting an emergency extension to exempt motor carriers from hours of service limitations to enable the delivery of much-needed propane and home heating fuels throughout the Midwest during the severe winter weather (Howey Politics Indiana). "We have heard from many distributors and customers in Indiana who have been directly impacted by this shortage. As additional winter storms and unusually low temperatures continue to impact the Hoosier state, the situation is becoming critical," wrote lawmakers. On January 14, 2014, the U.S. Department of Transportation declared a state of emergency for the Midwest,

waiving hours of service limitations to ensure consumers can steadily receive home heating fuels that remain in unusually high demand. The exemption is set to expire on February 11, 2014, but lawmakers are requesting an extension beyond February 11 if necessary to ensure there is no disruption to delivery assistance for Hoosiers. Due to a variety of factors ranging from seasonal weather patterns to distribution challenges, upper Midwest propane inventories are already low. The State of Indiana has also issued an emergency proclamation waiving hours of service limitations for propane transporters that remains in effect until January 31, 2014.

## Sen. Tomes probes 'coerced' abortions

INDIANAPOLIS - State Sen. Jim Tomes, R-Wadesville, wants a committee to study whether the state should make it illegal to influence a woman's decision concerning abortion. Tomes' measure passed the Senate Health and Provider Services Committee, 9-1, Wednesday (Evansville Courier & Press). Tomes said he doesn't know if women are being forced in their decisions, and that the study committee would determine if it's actually taking place. "The hope here is not to scrutinize all discussion or advice," Tomes said, but he took issue with conversations leaning toward directing a woman to make a certain decision. The state doesn't have an adequate body of knowledge on the issue, and some coercion could fly under the radar, said Cindy Noe, a former state lawmaker who testified on the bill for Indiana Right to Life. "It is the coercion of a woman by someone who would like to see her have an abortion and is demanding to take action against her to convince her to have an abortion when that, perhaps, is not the path she would choose to take for herself and her unborn child," Noe said.