

Meth compromise heads to Gov. Pence

House Republicans, Speaker Bosma and Sen. Head spearhead response to a Hoosier scourge

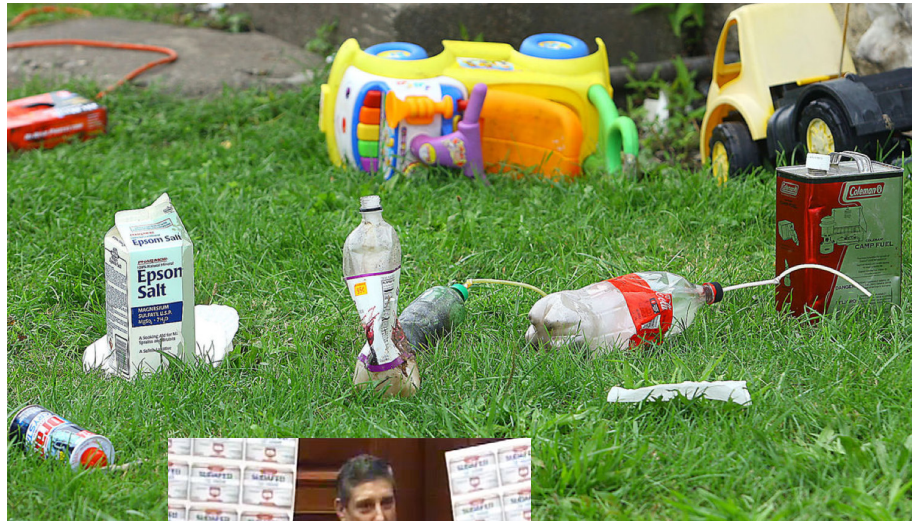
By **BRIAN A. HOWEY**

NASHVILLE, Ind. — Indiana faced a two-pronged narcotic infestation heading into the 2016 General Assembly session. Opioids had touched off the Scott County HIV crisis and swamped cities like Connersville with dealers and heroin addicts. And

there was domestically produced methamphetamine, which accounted for 1,500 known clandestine labs in 2015, ensnared hundreds of children, created hundreds of toxic home and motel

fires, and earned the state the notorious No. 1 designation in the United States three years running.

Facing an entrenched consumer health care product lobby, a statewide radio ad campaign, reticent legislators concerned about denying Sudafed to law-abiding



A Kokomo area clandestine meth lab and Rep. Ben Smaltz making his case for HB1390 in January. (HPI and Kokomo Tribune photos)

citizens, and committee chairs reluctant to reschedule, the fact that SEA80 sits on the desk of Gov. Mike Pence is an extraordinary story of perseverance.

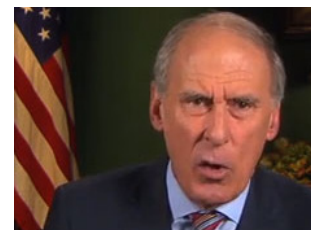
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Trump and echoes of '68

By **BRIAN A. HOWEY**

NASHVILLE, Ind. — Any American politically astute in 1968 has that year seared into memory because it was so violent, there was much anger, and there was a third-party demagogue candidate who helped create a razor-thin victory margin that November.

These observations come after two events in the past two weeks on Indiana's doorstep portend to a hot spring and summer just around the bend. In Louisville, we witnessed Donald Trump supporters engage with a black protester in a manner that stretched the notion of political participation and civility in the public square. And then



“Based on these unique circumstances and the precedent established by Democratic leadership ... the next president, with input from voters in the upcoming election, should fill the current Supreme Court vacancy.”

- U.S. Sen. Dan Coats



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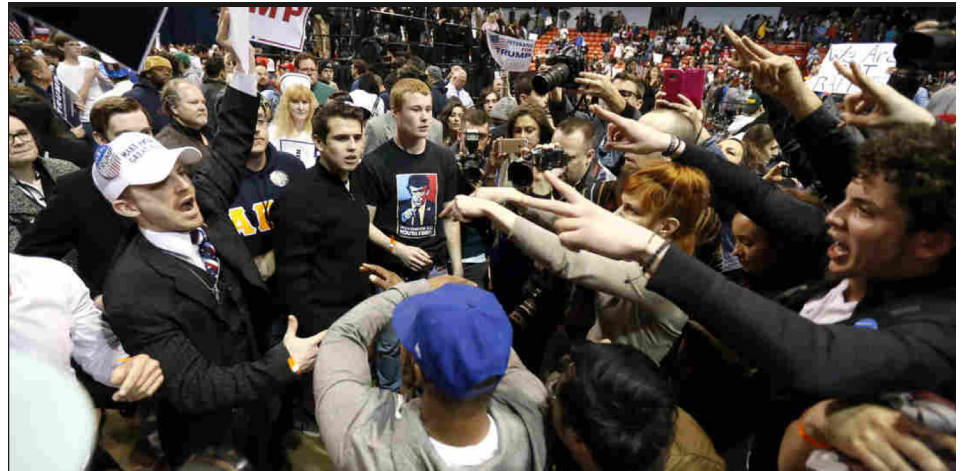
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on Friday night in Chicago, a Trump rally dissolved into chaos, rally hall violence, a candidate cancellation and showdowns with cops in the streets outside.

After the primary show-downs in Ohio and Florida on Tuesday, the presidential race will begin to appear in Indiana, as the calendar thins between then and our May 3 primary. The Hoosier State could become a political battleground. This is a state where not a single elected Republican official of note has endorsed Trump, and most in the party remain mute, perhaps terrified of the Trump supporters that could turn out in force for the primary. There will be rallies. The concern is that violence comes with it. While some believe that Trump has created what Ohio Gov. John Kasich calls a "toxic environment," perhaps the greatest concern moving forward is the safety of the candidate himself.

On Wednesday morning, after winning four of five states on a night when he would go on to renew his feud with Fox News' Megyn Kelly, Trump suggested that if he were to be denied the nomination, "I think you would have riots. If you disenfranchise those people, and you say, 'Well, I'm sorry, but you're 100 votes short, even though the next one is 500 votes short,' I think you would

have problems like you've never seen before. I think bad things would happen. I wouldn't lead it, but I think bad things would happen."

Dr. Larry Sabato of the University of Virginia's Center For Politics, said on CNN Wednesday, "That's his leverage. He's saying, 'If you try to try and snatch this nomination, I'll have more delegates and here's what you're going to get: Chaos.'"

This comes less than a week after the Chicago fiasco, and then a episode where a protester lunged at him in Dayton the next day, sending the Secret Service swarming to his side.

"I don't take responsibility," Trump said of the Friday night cancellation. Trump has encouraged supporters to "punch out" protectors and has even offered to pay legal fees of those who do. "Nobody's been hurt in our rallies. I think we've been very mild with protesters. Until today we never really had much of a problem." Trump said on

NBC's Meet The Press that had he not canceled the event, "there would have been a riot. I do not condone violence of any shape. They are not protectors, they are disrupters. They are professional. What have I said that's wrong?"

These are echoes of 1968. We watched on a warm spring night with the electrifying news that Dr. Martin



Luther King Jr., had been assassinated and cities across the nation (though not Indianapolis) exploded in violence. A few weeks later, Sen. Robert F. Kennedy did a whistle stop in town on the Wabash Cannonball. We watched as Bobby and Ethel Kennedy disappeared down the Norfolk & Western tracks waving goodbye, an image that still haunts today. Five weeks later we watched Sen. Kennedy's murder in a Los Angeles hotel kitchen.

With candidates and movement leaders dead; with rampant rioting in many major American cities, there was a widespread fear that the republic itself was being ripped apart and might not survive.

The Democratic National Convention in Chicago turned into a police riot at Grant Park. Reporters were assaulted on the convention floor as the political bosses belted at each other with epic bellicosity. We watched the falling away old guard nominate Sen. Hubert H. Humphrey and Richard M. Nixon. They, along with Alabama Gov. George Wallace, who just five years earlier had intoned, "segregation now, segregation tomorrow, segregation forever," waged a race where Nixon won by about 500,000 votes (Wallace won five states and 13 percent).

Is this a case where history repeats?

As the volatile Trump campaign chugs our way, we have witnessed a spate of intolerance that seems to mirror the candidate's message. Swastika graffiti has been found on two Indiana campuses, there has been anti-Islam vandalism and incivility at public events. We've witnessed one Republican spokesman reject the Trump "narrative" that a "racist, sexist, xenophobic" dynamic exists, when at that very time an array of Republican officials ranging from Gov. Nikki Haley and Sen. Dan Coats to Mitt Romney and now Marco Rubio have red flagged the Trump rhetoric and

actions as perilous to the public interest.

Last weekend, RNC Chairman Reince Priebus urged caution. "While we have differences, our right to free speech should be just that: Speech. Violence is never the answer. Violence only begets more violence. Leaders and activists in both parties bear a responsibility to ensure that the discourse we engage in promotes the best



Secret Service agents leap to protect Donald Trump at a Saturday rally in Dayton, a day after a Chicago rally was cancelled due to violent demonstrations.

of America," Priebus said. "The stakes for the election this November are high. While I hope all Americans exercise their First Amendment rights, we must do so in a manner that is respectful to our fellow Americans."

The Trump campaign, state Republican officials, and local public safety authorities should be preparing for these events here. Can a message that our state has prided itself on an earnest civil discussion be extended to the masses? Or do we risk the kind of video clips, headlines and narratives taking place on Hoosier soil with the whole world watching? ❖

Meth, from page 1

Two legislators, State Rep Ben Smaltz, R-Auburn, and State Sen. Randy Head, R-Logansport, began this session taking difference approaches to the crisis. By sine die, and with the added clout of House Speaker Brian Bosma, as well as the advocacy of mayors, county prosecutors and the Indiana State Police meth unit, the two have created a hybrid approach that gives Hoosiers a fighting chance to severely dent the sinister meth production.

All it needs is Gov. Pence's signature sometime next week. Deputy Chief of Staff Matt Lloyd told HPI last Friday that Pence is "very inclined" to sign SEA80.

Democratic gubernatorial candidate John Gregg "is supportive" of the compromise legislation, said campaign spokesman Jeff Harris, adding, "John thinks we ought to

go much further."

According to the Indiana Prosecuting Attorneys Council, since 2013 Indiana has dismantled 4,477 meth labs, and rescued 1,104 children living in meth lab environments. In the first nine months of 2015, there were 1,302 meth lab incidents involving 278 children. Over the corresponding time period, Indiana has seen a 32% increase in homicides, 26% increase in abuse and neglect reports to the Department of Child Services, a 90% increase in misdemeanor theft filings in the first six months of 2015. Kendallville Police Chief Rob Wiley explained last November that while 362 children had been removed from meth manufacturing homes the previous year, "There are about 10 times that many," meaning that another 3,600 kids or so are living in squalid, dangerous and lethal conditions that authorities haven't reached.

Smaltz surveyed a beaten yellow legal pad of notes

last Friday morning, after SEA80 became one of the final pieces of legislation to pass. "I think we accomplished, short of prescription requirement, as much as we could accomplish," Smaltz said. "We had a plan and with what we have now, we got virtually every single piece we wanted."

The effort faced an array of obstacles. The Consumer Health Care Association conducted a statewide radio ad campaign warning consumers they would not find a ready supply of pseudoephedrine products. Lobbyists for the industry threatened reporters and opinion makers who vowed to take them on. In mid-January, House Public Health Chairwoman Cindy Kirchhofer and Senate Corrections & Criminal Law Chairman Mike Young at one point vowed not to hear bills that would alter access to the drugs. Young would later be one of seven votes against SB80 on final concurrence. The legislation was steered to Young's committee, perhaps by President Long, because Senate Public Health Chair Patricia Miller would not have been supportive.

In January, Kirchhofer told the Associated Press there wasn't enough support in her committee to advance the legislation. "I would not look for anything on Wednesday to come out of the Health committee that has a prescription requirement on it," Kirchhofer said. "There are wide opinions and I just don't have the votes to move it in committee or on the House floor."

But that changed. While no one would come right out and say it, Speaker Bosma appears to have signaled that the legislation should get out of committee and on to the floor. Last year, Bosma had told HPI he favored a prescription requirement. HPI questioned whether that was enough, or whether Speaker Bosma should use his considerable clout to achieve a different outcome. Bosma probably made the difference.

Realizing the rescheduling would be almost impossible, Smaltz made changes, one of which would allow a "patient of record" to purchase PSE from a pharmacist. If a person is not a "patient of record" but the pharmacist determines there is still a medical need for PSE, then that person can buy either conversion-/extraction-resistant PSE (Nexafed or ZypHrex-D) or a much small package of

regular PSE. Both, again, are bought under existing NPLeX purchase limits.

What changed? Smaltz cited Speaker Bosma, saying in January, "I am confident the Speaker supports fighting meth labs. He wants all of the bills heard. He wants a solution, everything out of the box. I feel great support.

I am certain my bill is alive because of his leadership."

When the dust settled last week, Smaltz added, "I had explained to the Speaker in a meeting last summer in very frank terms what was at stake. It's a huge issue and bigger than we see. I believe it made him comfortable."

Smaltz and Sen. Head also had a meeting of the minds. "We talked," Smaltz said. "Sen. Head was great to work with. He was a tiger on this issue. It was good to have someone to lock arms and be united. We talked about what's going to work, what has votes, what's our strategy, what was our directive from people of Indiana."

Smaltz said that he and Sen. Head strategized on the language. "We decided (HB)1390 was the way to go."

In the end, with potential opposition growing in the Senate, particularly with Chairman Mike Young, HB1390 language was stripped into SB80 in the House. Head then signed off on the conference committee report, essentially side-stepping what could have derailed the bill.

"Eliminating meth production in Indiana has been one of my top priorities this session, and this bill is a strong step in that direction," Head said. "It's important to balance this priority by not punishing honest Hoosiers who need access to medicine for themselves or for their families. Hoosiers should know that, contrary to some information currently circulating, this bill will not make cold medicines like Sudafed prescription-only. In fact, the bill would not significantly affect the way average people buy cold medicines that contain ephedrine or pseudoephedrine. That was our goal at the beginning of the session, and I believe we have met that end with this bill."

Smaltz added that a consortium of legislators who had witnessed the crime and suffering in their own communities helped propel the legislation. These included Reps. David Ober, Martin Carbaugh, Wendy McNamara, Ron Bacon, Christina Hale, Dennis Zent, and Gail Riecken. Two pharmacists in the General Assembly, Sen. Ron Grooms and Rep. Steve Davisson, came around. And



State Sen. Randy Head worked with Rep. Smaltz to forge a methamphetamine compromise that heads to Gov. Pence.

Smaltz specifically cited State Rep. Charlie Brown for his support, even though meth had not afflicted his Region district. "We all pulled on that rope," Smaltz said.

The Auburn Republican also kept a dialogue going with Gov. Pence and his administration. "I met with them early in the year," Smaltz said. "I just kept pitching different ideas to him. They gave me time to talk with him. I feel they believe it's a real problem and I feel the governor wanted someone to come up with a solution."

Along the way, Smaltz earned the praise of Bosma, who twice voted for the legislation from the speaker's rostrum, as well as Kirchofer for his tenacity. He also persuaded the rank and file. "You got me convinced that good people aren't going to have to pay for the bad people," said Rep. David Wolkins, R-Winona Lake, The Fort Wayne Journal Gazette reported. House Democrat Leader Scott Pelath said, "It's nice to see I can still be decisively persuaded by an outstanding presentation on the floor."

"By the end of the session, you could see people coming around," Smaltz said.

Lindsey Moss, lobbying for the Indiana Association of Cities and Towns, observed, "This is a good step in the right direction. It's not completely what we were hoping to have, but progress was made. It was clear, particularly on the Senate side, that there was not support for the prescription requirement. It ran into pretty significant road blocks."

There were other pieces of legislation that passed. SEA161 and HEA1157 are basically identical companion bills. Both make it illegal for meth-related felons to possess and purchase PSE without a prescription. Both instruct the Division of State Court Administration to collate meth felony data and forward it to NPLEx in order to issue the stop sales for meth-related felons attempting to purchase PSE. SEA161 has added language regarding Board of Pharmacy rule-making, preventing corporate pharmacies from interfering with pharmacists in regard to PSE decisions, and putting PSE Rx on INSPECT concerning SEA80 (really HB1390 language).

Rep. Martin Carbaugh's HEA1211 will attempt to tackle meth fires and meth lab damage by expanding and requiring meth fire reporting and creating criminal charges for meth cooks who cause damaging fires.

Essentially, there were a lot of anti-meth bills that passed this session and the House led the way.

Washington County Prosecutor Dustin Houchin is hopeful the legislation will work. "Our position has been, we support prescription only," Houchin said. "We think that's most effective. But we believe this bill is

well-crafted legislation. I think it will put a dent in production, hopefully a significant dent. I think it's a very reasonable piece of legislation. We're hopeful and optimistic."

Houchin had been in touch with Rep. Davisson, since both hail from Salem. "He had been opposed to the prescription element," Houchin said. "But he came around. I'm comfortable our pharmacists will know the numbers."

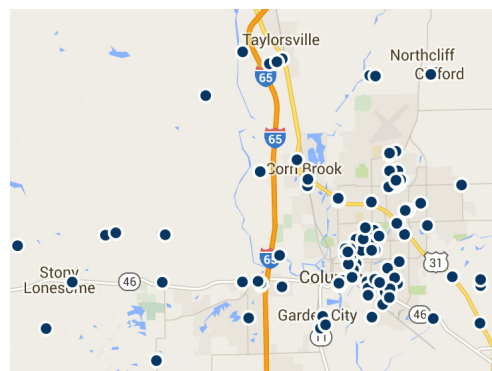
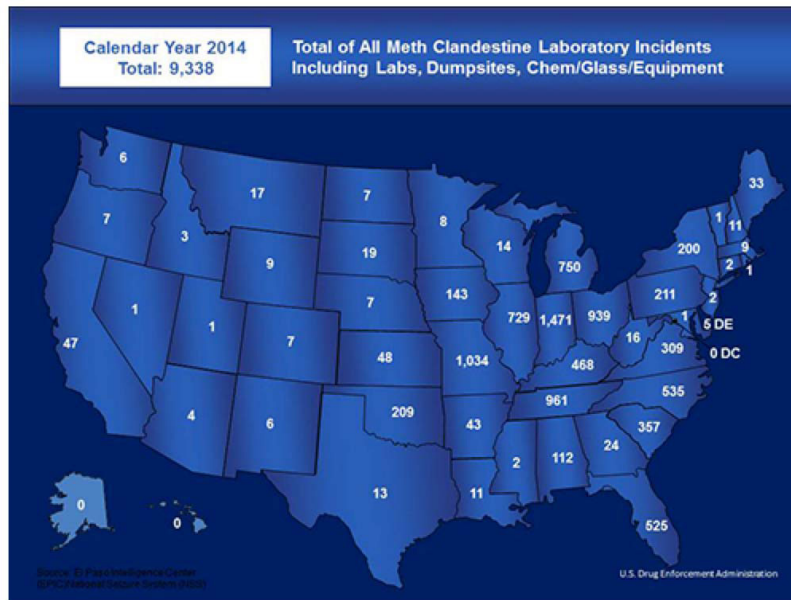
Steve Buschmann, lobbyist for the Indiana State Police Alliance, called the legislation inspired by the pharmacists "the first real step" taken by the state to put a dent in meth labs. "Our goal is to spend our time going after meth gangs, not cleaning up after meth labs," Buschmann told CNHI's Maureen Hayden.

"This is going to help do that."

"I think we're going to see a major reduction in meth labs in this state," Rep. Davisson, R-Salem, a small-town pharmacist who's seen Indiana rise to lead the nation in meth lab busts, told Hayden. "I've talked to a lot of chain-store pharmacists who said they wanted to be able to deny a sale, but their bosses wouldn't let them."

Smaltz believes that once Gov. Pence signs the legislation, and the Indiana Pharmacy Board puts new rules in place by July 1, lawmakers will be able to gauge its impact as early as next September. By the 2017 session, there will be six months' worth of data to determine if the legislation is working, or whether further tweaks or reforms will be required.

Smaltz also projects that a number of pharmacies are already implementing a gatekeeper approach to smurfs seeking to obtain PSE products to cook meth. ❖



Indiana led the nation in clandestine meth labs for three consecutive years. The map to the left are reported meth labs in the Columbus area.

Pence steers adroitly through a General Assembly minefield

By **BRIAN A. HOWEY**

INDIANAPOLIS – The predominant verdict on the 2016 General Assembly session from outside the State-house walls was one of limited action and results due to the elections this year, rendering leadership as political cephalopods.

Inside the limestone, the assessment was right out of Lake Wobegon. The women were strong, the men were good looking and all the children were above average. Gov. Mike Pence, sensing survival in the final round of dodge ball, pronounced it as “a win for Indiana.” Speaker Brian Bosma and Senate President David Long heralded passage of much of their stated agendas.

Local government groups are hailing the session as the “pendulum swinging back” toward local control as cities and towns above 10,000 people can now implement a wheel tax to fund local road projects. A second component, a permanent annual grant program, will steer \$150 million to local roads the first year and \$100 million annually after that.

And there were some landmark moves, most notably the work of State Rep. Ben Smaltz and Sen. Randy Head on legislation that they hope greatly reduces the domestic manufacturing of methamphetamine, and the rescinding of ISTEP. The Healthy Indiana Plan 2.0, which Indiana Democrats reminded the public is a component of Obamacare, was codified. Legislators responded to the Park Tudor basketball coach scandal by creating more stringent teacher background checks. And there was tax relief for farmers.

But the tough reelection bid facing Gov. Mike Pence, and the primary challenges to Sens. Long and Luke Kenley, steered the General Assembly away from the most transformative issues, most notably civil rights expansion and long-term road funding. Politics cast a

lengthy shadow.

Civil rights detour

When it came to civil rights, Long created an avenue to extend legal and employment protections to the LGBT community, but found all sides dug in, including Senate Democrats who insisted the transgender community be included in legislation that was overtaken by the family groups’ primal focus on restroom usage. Even though mayors of Hoosier cities with LGBT ordinance protections insist the issue never comes up, Advance America, the Indiana Family Institute and the American Family Association of Indiana successfully obfuscated the debate, essentially bringing it into the highway rest stops and mall toilet stalls.

Gov. Pence, clinging to his evangelical and social conservative base, was the floater. The Pence team thought it laid out clear parameters in his State of the State address, but virtually everyone else saw it as latent, timid leadership – by design. The expectation for the governor to come around on the issue in an election year when he will need his base was simply unrealistic. While Pence’s MO and the addition of Lt. Gov. Eric Holcomb will play well to his base, it will be fascinating to see the coming Howey Politics Indiana/WTHR-TV polling on the issue and how it plays with groups Pence absolutely must have to win – Independents, moderates, millennials and educated female voters.

Despite a primary challenge from social conservatives, Long is not backing down, suggesting that not only will the issue come up in 2017, it will likely make its way to the House. “We took a big step this year in opening the dialogue,” Long said on Friday. “I think the Senate was educated on this. ... Legislators don’t learn unless they go through the process.” House Democratic Leader Scott Pelath, D-Michigan City, called the inaction on civil rights the “great failure” of the session.

Road funding breakthroughs

Another key issue was road funding, where Pence and GOP leaders declared victory. One component was largely based not on new monies, but on the quicker return of local income tax distributions. SEA67 piggybacked into the Senate road package, providing for a supplemental distribution of local income taxes when the balance in a county’s local income tax trust account exceeds 15% (rather than



Gov. Mike Pence announced his infrastructure plan last fall, and while much of it fell away, he emerged from the session without a tax increase. (HPI Photo by Mark Curry)

50%, under current law) of the certified distributions to be made to the county. HEA 1001, in conjunction with \$430 million that will be distributed under Senate Enrolled Act 67, will provide a total of \$1 billion in local and state road funding over the next two years.

Pence gave a preview of what will certainly be a key campaign plank: "In this session, our legislature approved more than one billion dollars to improve state and local roads without raising taxes. This is truly a long-term solution for infrastructure for our local communities. It could be described as a historic investment in local roads and bridges, and I'm very very proud of that."

Matt Greller, president of the Indiana Association of Cities and Towns, called this one of the more productive short sessions, citing the wheel tax option for cities of 10,000 or more population, the grant funding that will produce \$100 million or more annually, and the coming task force that will seek long-term funding solutions.

The historic missed opportunity was Speaker Bosma and House Roads and Transportation Chairman Ed Soliday's HB1001, which called for a gasoline tax increase at a time when prices were the lowest in a decade, funding new formulas that would have set the state up for the next decade, if not the next generation (as the current formula, greatly bolstered by Major Moves, did for the past generation). But it was a dreaded "tax increase," and Indiana clings stubbornly to that August night in 1988 when Vice President George H.W. Bush intoned, "Read my lips, no new taxes." President Bush's defeat four years later after he raised taxes is seared into the Hoosier political brainpan. It is a dogma that survives to this very day. Pence would have rather swallowed a poisoned rat than have passed anything that could be perceived as a general tax increase.

But on a component of the road package that would allow cities and counties to raise local wheel taxes, NWI Times reporter Dan Carden "stopped Pence in his tracks" according to the Journal Gazette, when he reminded the governor that Pence had allowed previous local tax hike initiatives to go into law without his signature. "You've got a really good memory," Pence said sheepishly. "I'm very impressed with that. I'd forgotten that I just let those go." He went on to say it is simply allowing local communities to make the decision. "I think it's fine, and I look forward to signing the bill. Enthusiastically," Pence said.

Bosma entered the session with a couple of burrs under his saddle: The Pence decision to expand Regional Cities funding by a third, and his goal of creating a long-term road funding solution well ahead of his expected 2020 gubernatorial run. Bosma called HB1001 a "heavy lift" going in, and as the session headed into its home-stretch, seemed to be at loggerheads with the governor.

On this one, Pence seemed to win, not on his attributes of his policy position (the original Pence road plan, including a bonding component, was mostly scrapped) but on the tax hike stare down. Perhaps it was the looming uncertainty over an emerging Trumpian era that could create substantial ticket drag in November, but Bosma decided not to take the showdown to its furthest limits.

"We reached a compromise on road funding, which addresses our state's immediate road funding needs while ensuring legislators come back next year to discuss a more comprehensive, long-term plan," Bosma said. "House Republicans knew in January that passing a long-term plan might take more than one session. The plan we passed today puts us in a strong position as we move forward with discussions this summer and begins the process of transferring gasoline sales tax to dedicated road funding."

"This bill is a fiscally responsible, strong step toward fully funding Indiana's infrastructure needs," Senate Appropriations Chairman Luke Kenley said. "The plan is a result of a significant amount of collaboration between both parties and chambers, and I am confident that, with the FIRSST Task Force, we will be able to identify new road-funding sources that can be utilized when we draft the next two-year budget."

Greller noted, "This is not just another blue ribbon commission. I think it's going to do real work." Greller added, "What did pass was very significant for a short session. We've had past sessions that nothing like this would have been considered."

And Greller praised the funding of the three Regional Cities initiatives. It came after Pence's surprise announcement of the expansion last fall, and Bosma used it as a chip in the road funding negotiations. Greller said the program is vital for cities to establish "communities of place" that will attract a high caliber workforce. He called for a long-term, sustainable funding source for the program, something that Gov. Pence has described as potentially one of his more enduring legacies.

Setting up the 2016 election

The critical question now is who will be governor in January 2017?

Democrat John Gregg stayed on the sidelines for much of the session, weighing in on the collapse of the civil rights legislation, but little else. The former speaker summarized the session succinctly last Friday: "This session can be summarized by two words: Missed opportunities. The lack of action on updating our civil rights law, on addressing long-term infrastructure needs and on repairing the damage politicians have caused to our public education system is disappointing. Gov. Pence had a hand in



creating all of these problems and, once again, failed to provide any leadership to resolve them. Indiana taxpayers deserve better."

Politically speaking, Pence has his talking points, and it remains to be seen whether Gregg can exploit what he sees as a lack of infrastructure funding, and an outright ducking of the civil rights issue.

On that front, as we witnessed in Kokomo the past two weeks, the civil rights issue will likely continue to play out in city councils around the state, with Munster and Fishers cued up next. It will keep the issue in the news. Freedom Indiana vowed on Tuesday to take the fight to city halls. What is unclear is how Gregg can exploit that issue. It will play well in areas where he needs to turn out the Democratic vote in Lake, St. Joseph and Marion counties. He can use the issue to needle Pence in the doughnut counties, where Republicans are more open to civil rights expansion than they are in the deeper red areas of the state. Pence saw a drop-off of doughnut county support in 2012 and in recent polling.

The education front

Gregg will go for the Pence jugular on infrastructure and education. With the latter, he needs to fan the already smoldering embers of deep dissatisfaction with Pence in education circles that led to Supt. Glenda Ritz's stunning upset of Supt. Tony Bennett in 2012.

Fodder on the education front is yet another shift, this time away from ISTEP. Since 2010, Indiana has careened from an array of different testing schemes, from Common Core to Common Core Lite that Pence planned to use in his aborted presidential run this year. Several years ago, the cost of all the testing shifting was placed in the \$250 million range. A question no one in the education establishment or the Pence administration can (or will) answer is HPI's question of how much of the taxpayer dime has been spent on the cascading testing standards? And now that ISTEP has been rescinded and is to be replaced, how much more will be spent?

Are we looking at a \$1 billion price tag for testing in the past six years, and the political reasons that prompted the last couple of realignments?

Pence will campaign on the reprieve he forged with GOP leadership and Supt. Ritz early in the session, holding teachers harmless from plunging test scores due to the resting realignment. That seemed to defuse a potential time bomb. "We took decisive steps early in this session to ensure that as we raised standards and introduced a new test that the teacher bonuses and compensation would not be affected and that our schools would be treated fairly," Pence said. "It (is) time for us to take a step back from ISTEP and think about new ways and a new system of accountability that could earn the confidence of parents and teachers, and we've taken a decisive step in this session to repeal and replace ISTEP."

But Ritz observed, "Bipartisan common sense did not last long in the Statehouse. The legislature failed

to take action to address Indiana's teacher shortage in a comprehensive or substantial way."

The hard political reality for Pence is if there is anger that Donald Trump has tapped into nationally in a general sense, within the education community, that anger is multiplied. In conversations with an array of teachers over the past year (including Republicans) this anger constantly comes up and Pence is the target.

On infrastructure, legislative Democratic leadership may have made Gregg's coming case a little harder. House Minority Leader Scott Pelath said last Friday, "I am pleased with one accomplishment. We took a steady first step toward fixing our decaying roads and bridges. Rather than submitting to a fever of tax increases and expensive bonding, the Republican supermajorities finally embraced what House Democrats proposed. More of the sales tax on gasoline will be dedicated exclusively for state highways and local streets. We employ some of the reserve tax money the state already took from the people. And there are no new tolls, and no new taxes. Granted, the final bill did not go as far as we would have liked, but this is a common sense start in the direction of a long-term solution. We demanded tangible action without raiding the wallets of working Hoosiers. It was a measurable success, and I applaud it."

Senate Minority Leader Tim Lanane gives Gregg a little more cover, saying, "Our state faces critical challenges and we largely failed to meet them this session. Instead, we pushed off difficult decisions for another year, kicking the can that much further down the road."

Pence survives despite high hurdles

Historically, short sessions were created in the early 1970s to make adjustments. Gov. Pence faced high, unrealistic hurdles and emerged from this short session better than expected. There are openings for Democrats on civil rights, infrastructure and education, and whether they can take the nuances and complexities and create a compelling message to "fire Pence" is the critical question at this point.

The outlines of the Pence reelection bid are much clearer. Defeating an incumbent Republican governor, even a wounded one, in a state-centric environment will be tough.

But Pence has morphed into an Evan Bayh type governorship where issues are viewed through the prism of the next election, whether it is a Supreme Court nomination to how roads are funded. In Bayh's case, and early in the Pence era, decisions were made with an eye on the national ticket. Today, they are made for political survival.

The absolute wild card in all of this is Donald Trump, and it is impossible to gauge whether a Republican presidential nomination by the billionaire can turn this race into a national dynamic with a huge millstone around the governor's neck. This past session of the Indiana General Assembly has yet to create a slam dunk case against this governor. ❖

Kasich's Ohio win means presidential race will head here

By BRIAN A. HOWEY

INDIANAPOLIS – For the second time in eight years, an Indiana presidential primary is going to play a role in an undecided race. Ohio Gov. John Kasich's win in home state Ohio Tuesday night will likely deprive Donald Trump of the clinching number of delegates to win the July convention in Cleveland outright.

It sets up the scintillating scenario where a multi-ballot convention could become one of the 21st Century's first epic political floor fights, pitting the so-called Republican establishment against the populist uprising harnessed by the Manhattan billionaire. The race that will likely play out in Hoosier high school basketball gyms and outdoor venues comes after violence flared at Trump rallies (or "shows" as the former reality TV star calls them), in neighboring Louisville and Chicago in recent days and weeks.

"It's increasingly likely that no one will have a majority going into the convention," John Sununu, a former New Hampshire senator and Kasich surrogate, told Politico. "Every delegate, very vote becomes important."

But Trump won Missouri, North Carolina, Florida and Illinois, furthering his grip as the volatile frontrunner in an unprecedented presidential race. How it all ends in Cleveland in late July will be one of the critical early 21st Century political dramas.

The candidate who seemed to be getting the most traction in Indiana beyond Trump, U.S. Sen. Marco Rubio, lost his home state of Florida and dropped out of the race. "There's three of us left," Trump said from his Palm Beach headquarters. "That's pretty cool. Nobody has ever — ever, in the history of politics — received the kind of negative advertising that I have ... vicious, horrible. You explain it to me, because I can't: My numbers went up."

Trump trotted out a new approach, calling for GOP unity after a week of controversy, cancelling a Friday night "show" in Chicago. He was then subject to a potential assault in Dayton the following day. Trump said, "We have to

bring our party together. We have to bring it together. We have something happening that actually makes the Republican Party probably the biggest political story anywhere in the world."

While Trump has not garnered a single endorsement from an Indiana Republican establishment political figure from the Statehouse to the Congressional delegation to city halls and the GOP, Rubio had won straw polls in the 6th CD and in Madison County, and had the potential to pick up a number of Hoosier endorsements.

Instead, the thinning calendar between now and the May 3 Indiana primary will likely become a contested battleground among Trump, Kasich and Sen. Ted Cruz, who will attempt to win over Indiana's sizable evangelical voting bloc. Trump, however, led a December Bellwether Research Poll, 26 to 17% for both Cruz and Rubio. Ben Carson, who dropped out of the race earlier this month, had 11%. This will set off

a free-for-all to gather up Rubio and Carson supporters, while Kasich will almost certainly make a play in his neighboring state where many establishment Hoosiers will be open to his candidacy.

Gov. Mike Pence is uncommitted in the presidential race but has signaled he may endorse. Republican National Committeeman John Hammond III has been on record with HPI and the IndyStar saying that

Trump is "unfit" to be the party nominee. U.S. Sen. Dan Coats began expressing concerns about Trump's viability earlier this month. Look no further than when Trump was asked about who his foreign policy advisers are. Trump replied: "I'm speaking with myself, number one, because I have a very good brain and I've said a lot of things. I know what I'm doing, and I listen to a lot of people, I talk to a lot of people, and at the appropriate time I'll tell you who the people are. But my primary consultant is myself and I have, you know, a good instinct for this stuff."

In 2008, Indiana was a battleground between Hillary Clinton and Barack Obama. The two made dozens of rally appearances, held press conferences and toured the state in buses. Clinton won a primary victory by less than 1%, and Obama did the same in November over Republican John McCain, becoming the first Democrat since President Lyndon Johnson in 1964 to win Indiana.

Clinton won decisive victories in Ohio, Illinois, Florida and North Carolina Tuesday night and is well on her way to the Democratic nomination after she was upset in Michigan earlier this month. ❖



Ohio Gov. John Kasich wins his first primary in his home state on Tuesday, essentially denying an outright nomination for Donald Trump until after he arrives in Cleveland in July.

Trump fails to attain unstoppable dynamic

By **LARRY SABATO, KYLE KONDIK**
and **GEOFFREY SKELLEY**

CHARLOTTESVILLE, Va. – Donald Trump could have generated unstoppable momentum had he won both Ohio and Florida. But now it's clear to everyone that this will go right through June 7, the end of the Republican primary season.

Most observers appear to think that the Republicans are headed for a contested convention now, because with Kasich's win in Ohio, Donald Trump probably cannot get to the magic number of 1,237 delegates. However, there are 19 states to go, so this conclusion may be premature. Additionally – and this is being ignored by many – there will be 40 days between the end of the Republican primaries on June 7 and the start of the GOP convention. This is plenty of time for intense negotiations between and among the campaigns, facilitated by others within the party. Do not underestimate the possibility that a ticket can be agreed upon before the gavel brings the convention to order. In addition, if Trump has hundreds more delegates than the runner-up (almost certainly, Cruz) and he is over 1,000 delegates, it will be exceedingly difficult to deny him the nomination. In fact, to do so would be to guarantee a meltdown of historic proportions in Cleveland.

Lost in John Kasich's victory in Ohio was that Trump largely did well outside the Buckeye State. He romped in Florida and captured its 99 delegates. He won North Carolina by a few points over Ted Cruz, so he padded his delegate lead by a few there. Trump also apparently won Missouri, and he is on track to get the lion's share of delegates from Illinois.

So Trump did well except in Ohio, where Kasich scored a roughly 10-point win.

Kasich did an impressive job of building on Mitt Romney's Ohio victory from four years ago, capturing the three big urban counties and adding to them by outperforming Romney in several places, including the Northwest. Trump's strongest support was largely confined to Ohio's Appalachian counties, which bodes well for Trump in some upcoming races, such as the western part of Pennsylvania and also West Virginia.

The Ohio governor has made it further than many thought, combining skill and more than a little luck to become one to the final three contenders. However, he is obviously the weakest of the final troika in terms of del-

egates, national name ID, and support. Additionally, Kasich doesn't have any credible path to 1,237 delegates. However, even he has seemed to admit recently that his goal is to make it to the convention in Cleveland. If he does, then perhaps anything could happen – though imagining Kasich becoming the nominee takes the imagination of a novelist.

One does wonder whether Kasich has the organizational wherewithal to compete with Trump and Cruz. He has performed poorly in most states so far, and there is even some question about whether he will make the ballot in Pennsylvania, the state where he was born. The Keystone State would be critical to any breakthrough for Kasich.

However, if the race does go to the convention, Kasich will be a significant reason why. Kasich's victory in his home state blocked Trump from capturing a large winner-take-all state. Those 66 delegates could be the difference between an outright Trump victory and a contested convention. If that's what happens, the Republican Party's anti-Trump forces will owe Kasich a great deal of gratitude.

Cruz's problem may be that he has very good generals but not enough troops. That is: His campaign is well-run and well-executed but it simply lacks sufficient popular support among the voters. Outside of Texas, his victories have been limited to caucus states and small-state primaries, places like Idaho and Oklahoma. As we mentioned in our preview of the March 15 contests, we have our doubts about Cruz's ability to beat Trump in big states like California and New York. Just look at what happened on Tuesday night: Cruz did earn some delegates but he didn't win statewide anywhere (unless he somehow pulls ahead in Missouri). One thing we can say, though: His campaign probably has the best understanding of the rules that govern the primaries, caucuses, and delegate selection in the states. The Cruz campaign also points to the fact that many of the upcoming primaries are closed, so some of the irregular Republican-leaning independents backing Trump won't be able to vote in those places. On the other hand, Florida was a closed primary and Trump romped there.

As noted, the race is now down to three. To borrow from t.s. Eliot: This is the way Marco Rubio's campaign ends, not with a bang but a whimper. For the Florida senator, being golden-tongued was not enough in 2016. A dismal performance in his home state proved to be his campaign's death knell. In the Sunshine State, Trump gave Rubio a stunningly sizable shellacking, winning every county save Miami-Dade, Rubio's home base. It was an ignominious end for a supposed "favorite son" candidate. It has been suggested, convincingly, that Rubio had been running for the presidency from the moment he entered



the Senate, a move that has weakened his ties to the GOP in his home state. With his presidential race over, one has to wonder about Rubio's political future. Possibly, Rubio could be offered the vice presidential spot, though his weak showing on Tuesday won't help him. He may need to restore himself by running for another office in the state that just rejected him. Florida's other Senate seat and the state's open governorship are on the 2018 ballot. No doubt there are plenty of ambitious GOP politicians already eyeing both contests who won't be inclined to step aside. Rubio is still young, however, and it's difficult to imagine he's finished with politics.

We commented throughout this process that Rubio had the potential to be a very good candidate and one who could unite the disparate GOP tribes, but he never reached that potential. Rubio 2016 brings to mind the old joke about Brazil: It's the country of the future, and it always will be. Hopefully for Rubio, at some point the future will become the present.

So here's where we're at. Trump is the clear leader, and he still benefits from a split field, albeit one that now features only two other competitors, Cruz and Kasich. The contest should go on through June, and maybe longer, possibly into a contested convention. While Trump has not yet become the prohibitive favorite, you would much rather be the New York billionaire than anyone else. Based on the numbers we have at this point, Trump needs to win

roughly 60% of the post-March 15 delegates to clinch a majority for the GOP nomination. That's a high bar, better than he's managed so far, but not impossible.

Clinton rights the ship

With big wins in Florida, North Carolina, and Ohio, plus apparent victories in Illinois and Missouri, Hillary Clinton got back on track on Tuesday night.

More importantly, Clinton is building a delegate lead that, practically, is insurmountable. In fact, even under impractical circumstances, it's insurmountable.

While we do not have final tallies as of this writing, it appears that Hillary Clinton will have a pledged delegate lead over Bernie Sanders of more than 300 delegates. By the way, that does not include the superdelegates, the party leaders and elected officials who make up about 15% of the delegates and who, at this point, overwhelmingly back Clinton. However, they are free agents until the convention, so they hypothetically could change their minds.

Let's assume a remarkably rosy finish to the nomination season for Sanders and give him 65% of the delegates in every caucus state and 55% in every primary state. That means Sanders winning states like California and New York by 10 percentage points (as well as Maryland, a state with a heavily black electorate that could easily vote like the Clinton-dominating South). So this is very



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Under those stipulations, Sanders would net about 250 delegates on Clinton from now through the end of the primary season. Again, her current lead is more than 300, so she would still be ahead, and that doesn't take into account the superdelegates.

The bad news for Clinton is that the South, her area of strength in this race, is now finished voting. Sanders should notch a number of wins in the next few weeks: For instance, caucuses in Utah and Idaho (March 22), as well as Alaska, Hawaii, and delegate-rich Washington state (March 26) all strike us as places where Sanders could do quite well in the next few weeks. Arizona holds a primary next Tuesday: Clinton may be a small favorite there but it seems reasonable to expect something close to a tie on delegates.

The schedule is also slowing down. Just 28 contests remain from now until June 14. There were 25 in just the past two weeks. Sanders now has more time to cultivate some of these states, which we think is helpful to the lesser-known but well-funded challenger.



The tricky thing about the Democratic race, as we've consistently said, is that there are legal questions hanging over Clinton's head with regard to her use of private email while secretary of state. Let's also remember that there are probably unsavory details yet to come about the fundraising practices of the Clinton Foundation, and whether Clinton went out of her way as secretary of state to benefit the foundation. Again, we do not know the answers to these questions. But what we do know is that without significant developments in

these stories between now and June 14 – the close of the Democratic primary season – Clinton is almost assuredly going to finish well ahead of Sanders in pledged delegates, and it's doubtful that many of the superdelegates will flip to Sanders barring extraordinary but, in the case of Clinton, possible circumstances.

While Clinton is an uneven campaigner and shows some signs of weakness, she remains a very heavy favorite to come out of the nominating season with the requisite number of delegates to be the nominee. ❖

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Young Senate camp makes \$500k Indy buy

By **BRIAN A. HOWEY**

INDIANAPOLIS – Todd Young’s Republican U.S. Senate campaign has made a \$500,000 TV buy in the Indianapolis media market. It will cover Indiana’s largest media market for the six weeks prior to the May 3 primary. Politico reported that it brings the Young campaign’s total media buy to \$730,000, including \$140,000 in cable TV.

Trevor Foughty, Young’s campaign manager, told Howey Politics Indiana that he doubts the Marlin Stutzman campaign can keep up. “Long term they can’t spend the kind of money we are. I don’t think they’re going to be able to stay up on TV, particularly since the Club For Growth has been skittish.”

Marlin Stutzman campaign manager Joshua Kelley said that along with its current TV buy, Stutzman is focused on continuing to develop his grassroots efforts. As for the Young media buy, Kelley said, “What we’re seeing on Todd Young’s end is a lot of Washington money is coming in.”

The Young campaign was active this week. The candidate announced he had signed a term limits pledge, and the campaign set up a new website Wednesday titled “mefirstmarlin.com.”

“When Marlin Stutzman joined Democrats to attack conservative Marine Todd Young it wasn’t the first time he cast aside conservative principle for personal gain,” Foughty said. “As a politician from age 26, Marlin Stutzman has made a career of putting himself first. He voted to nearly double his own legislative pay, he supported tax hikes on Hoosiers, and his business pocketed a million dollars worth of taxpayer subsidies he claims to oppose. Before Hoosier conservatives vote in the primary election, they need to know what Marlin Stutzman’s long record as a politician really says about him.”

Stutzman launched a TV ad last week in which he talks of voting against Speaker John Boehner. Foughty reacted, saying, “Marlin voted for Boehner more than he voted against him. He even took \$15,000 from John Boehner and he never gave that money back.”

As for the Stutzman TV ad, former Indiana Republican chairman Gordon Durnil reacted in a Facebook post, saying, “What’s the deal with Marlin Stutzman running a TV commercial against Republicans when he is running

in a Republican primary?”

As for term limits, Young said, “Career politicians won’t be stopped as long as they play by a different set of rules than the conservatives who are trying to restrict them. That’s why Todd is fighting for term limits on all law-makers, as well as a constitutional amendment to enforce them.” Stutzman had signed the term limits pledge last year.

Democrats won’t contest Young candidacy

Time is dwindling for opponents of Rep. Young to challenge in court a deadlocked decision last month by the Indiana Election Commission that keeps Young on the ballot for U.S. Senate (Associated Press). Indiana election officials say there is about one week left to file a court challenge. With early voting set to begin April 5, the Indiana Democratic Party has said it will not take Young to court, but the rival GOP primary campaign for U.S. Rep. Marlin Stutzman has not yet announced its plans. Democrats, as well as the Tea Party-backed Stutzman, had challenged Young’s candidacy, arguing that he hadn’t gathered the 500 required petition signatures from each of the state’s nine congressional districts. An Associated Press analysis of Young’s petitions found he was three signatures short in northwestern Indiana’s 1st Congressional District. Stutzman’s campaign manager and attorney did not immediately respond to messages Monday morning. Last week, Indiana Democratic Party Chairman John Zody had said Democrats would not take Young to court. “After



At a recent fundraiser for the Pence/Holcomb ticket, Gov. Pence poses with GOP chairs past and present including Murray Clark, Rex Early, Mike McDaniel, Gordon Durnil, Jeff Cardwell and Lt. Gov. Holcomb.

thoroughly exploring all options and what is best for our candidates and party moving forward, the Indiana Democratic Party will not pursue legal action,” Zody said Friday.

Rothenberg/Gonzales on ‘screwups’

The Rothenberg/Gonzales Report notes that the Young campaign nearly committed “the colossal screw-up of the cycle by not submitting enough valid signatures to qualify for the ballot.” But it notes that Stutzman “may

have made a fatal error by joining with Democrats to try and prevent Young from being on the ballot." It notes that "Stutzman might win if the election were held today, but Young is best-positioned overall as the mainstream Republican candidate." **Primary Horse Race Status:** Leans Young.

Governor

Gregg adds to campaign staff

Democrat John Gregg's gubernatorial campaign continues to scale up. Bill Johnson of the Indiana Senate Democratic communications staff has joined the campaign as political director. Scherrie Blackwell joins the campaign's fundraising staff.

Campaign spokesman Jeff Harris told HPI on Wednesday that with the General Assembly session over, Gregg will move into "a more active phase" that will extend into April and May, "both in earned media and field activity."

Gov. Mike Pence's reelection campaign will be naming a communications staff in the near future, sources have told HPI. **Horse Race Status:** Tossup.

Statewides

Head may have post session momentum

State Sen. Randy Head emerges from the Indiana General Assembly session with some momentum after he helped forge the landmark methamphetamine compromise. It sets up a potential issue contrast with Elkhart County Prosecutor Curtis Hill, who told the Elkhart Truth in January that if he had testified before the General Assembly, it wouldn't have been to limit PSE. Hill told the Truth editorial board, the real problem with meth in Indiana is demand. "As long as demand is there, everything else is secondary," he said. Expect Sen. Head to get a dose of earned media if and when Gov. Mike Pence signs SEA80 and other meth-related bills in the next week or so.

Former attorney general Steve Carter, sources tell HPI, is quietly working in a grassroots manner, meeting individually with delegates.

Carter did a video interview with the NWI Times, saying he wants to return to the office for two key reasons: Consumer protection and public corruption. Carter said "The attorney general has the ability to focus on consumer protection." As for corruption, Carter said, "It's important for citizens to know if there is wrong doing occurring, something can be done," specifically citing theft of public funds and vote fraud. **Convention Horse Race Status:** Tossup.



2nd CD

Walorski endorsed by Right to Life

U.S. Rep. Jackie Walorski has received the endorsement of National Right to Life, a national anti-abortion group (Vandenack, Elkhart Truth). But Jeff Petermann, her challenger in the GOP primary in May, is calling Walorski's pro-life credentials into question. His argument is based in part on her support of a \$1.1 trillion government spending plan late last year that lacked language defunding Planned Parenthood, as sought by some conservatives. Petermann, like Walorski, is anti-abortion. In a statement Wednesday, National Right to Life said anti-abortion voters "should vote to return Rep. Jackie Walorski to Congress so that she can continue to work to advance vital pro-life public policies." The group singled out her votes "to protect unborn children at 20 weeks, to stop taxpayer funding of abortion, end taxpayer funding for Planned Parenthood and repeal Obamacare," according to Walorski's statement. "I've always felt one of my greatest responsibilities as a representative is to fight for the sanctity of life," said Walorski, who has voiced opposition to abortion except in cases where the mother's life is in danger. Petermann said: "I was saddened to see an organization that many see as a champion of life, National Right to Life, release a letter attempting to excuse away Congresswoman Jackie Walorski's votes from over the last 12 months that have been anti-life in every way you can imagine." **Primary Horse Race Status:** Safe Walorski.

9th CD

Hollingsworth and Zoeller square off

Five Republicans are seeking the nomination for Todd Young's seat in Congress, but an outside group's ads have triggered a one-on-one race-within-the-race (Berman, WIBC). Jeffersonville businessman Trey Hollingsworth is positioning himself as an outsider in a race which includes two state senators. But a pro-Hollingsworth Super PAC has singled out a third opponent, Attorney General Greg Zoeller. Indiana Jobs Now has spent \$300,000 on ads blasting so-called "career politicians" – but then singling out Zoeller. Super PACs aren't allowed to coordinate with the candidates they support, and Hollingsworth disavows any particular targeting of Zoeller. He dismisses Zoeller and Sens. Erin Houchin and Brent Waltz as "insiders." All three have worked in the private sector; Zoeller was in private practice between working for Vice President Dan Quayle and in the attorney general's office. Waltz runs an investment company, and Houchin worked for nonprofits before and after stints with the Indiana Department of Child Services, and now does consulting work. Hollingsworth argues there's still a clear difference between officeholders who have built political careers and a candidate who's been focused entirely on business. While Hollingsworth says he's not singling out Zoeller, Zoeller returned fire last week, labeling Hollingsworth a "political scam artist" who moved to

Indiana just last year. He contends the PAC is going after him as the opponent with the highest name recognition. One flashpoint appears to be immigration. Hollingsworth has made a hardline stance on illegal immigration a key platform plank, calling for a wall to secure the Mexican border. Zoeller agreed to add Indiana's name to a multistate lawsuit challenging President Obama's executive orders on immigration, but brought in outside counsel to represent Indiana. He calls the immigration system "broken," but says it's Congress, not the courts or the states, that must fix it.

3 candidates debate

National security, jobs and the environment were among the broad topics three of the five Republican candidates in the 9th Congressional District race discussed Wednesday night (Beilman, News & Tribune). Brent Waltz, Robert Hall and Greg Zoeller answered previously submitted questions formed by the Jeffersonville High School Speech and Debate Team in the school's cafeteria during the club's public event, taking a turn after an intermission at audience-submitted questions. Each candidate gave two-minute opening and closing statements.



9th CD candidates Greg Zoeller, Brent Waltz and Robert Hall debate in Jeffersonville Wednesday. (News & Tribune photo)

"Quite frankly, a lot of people are upset, and you should be upset, because Congress has failed to function," Zoeller said. "As I look toward Washington D.C., I see so many things they're doing wrong that I think Indiana could do better," Waltz said. "So I have a long, long history of being involved with the Republican Party," Hall said. Waltz, Greenwood, said he believes that threat is the rise of Islamic fascist terrorism, calling a failure to properly vet Syrian refugees before entering the country a "very big deal." "When you have so many thousands of people, significant portion radical Muslims, come into this country that despise everything that we stand for, that hate our freedoms and will do everything they can to try to impinge those rights, we have to be eternally vigilant, and we're not doing that as a country," he said. Hall agreed radical Islam is the largest security threat, attributing much of the issue to immigration. Zoeller, speaking third, decided to take a different direction by stating national security "starts at the home." "I think the federal government should really do more to support the men and women in law enforcement who keep us safe everyday," he said, adding more resources need to go to police forces at the state and local levels. In a couple questions, energy usage and the environment came up. Hall dismissed "climate change nonsense." "Carbon dioxide, the last time I checked when I took biology, is a natural element," Hall

said, when explaining why he opposes a carbon tax. "Our plants need it. We give it off. What is the problem? We've got a bunch of bureaucrats that are trying to control us, and we need to stop them." Candidates Trey Hollingsworth and Erin Houchin were unable to attend. **Primary Horse Race Status:** Tossup.

General Assembly

SD16: Long, Right to Life presser today

Senate President Pro Tem David Long will join Indiana Right to Life PAC President Mike Fichter for a 2:30 p.m. press conference today at Allen County Republican headquarters in Fort Wayne. Long is facing a challenge from IPFW Prof. John Kessler. **Primary Horse Race Status:** Likely Long.

Mathis based on Christian principles

A two-term member of the Lawrence County Council is seeking higher office this May (Brown County Democrat). Mark Mathis of Bedford is running for HD65, seeking to replace State Rep. Eric Koch, who is running for the Indiana Senate. Mathis is a full-time Christian minister at Grace Fellowship Church in Harrodsburg. He runs Indiana Rifle Supply from his home, and he's a contractor for Contingent Services, a telecommunication company. He and his wife of 23 years, Samantha, are raising six sons and three daughters, whom they home-school. "I am a Christian by choice and an American by birth. I am an Army veteran, a patriot and a conservative. I am pro-American, pro-life, pro-traditional marriage, pro-family, pro-child, pro-gun, pro-military, pro-English and pro-states' rights." Mathis said, "Right now, the greatest threat to the Constitution is not a foreign army massing at our borders, but elected leadership that knowingly seeks to destroy it from within. I believe that if your Christian convictions do not affect your decisions, then you don't have any Christian convictions." ❖

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Gridlock fuels poor Congressional approval

By JACK COLWELL

SOUTH BEND – Congress has a terrible approval rating. In a February Gallup poll, just 14 percent of Americans approve of the job Congress is doing. There’s a reason for that rating. It’s deserved, because of the partisan punching and pouting that gridlocked Congress for years now, keeping it from doing much of anything.

It’s deserved especially because this stalemate keeps Congress from dealing with some of the most serious problems facing the nation, such as the crumbling infrastructure. Roads disintegrate, old bridges become structurally deficient, some major airports decline to Third World standards and systems for drinking water threaten health – and not just in Flint.



Congress could have, should have, acted long ago, back when action would have brought results at less expense, when it would have spurred an economy that has been slowly recovering. The pace of recovery could have

been robust if Congress had approved a major effort to address neglected infrastructure needs. Both Republicans and Democrats agree that more jobs, good jobs in the private sector on worthwhile endeavors, would result in less costs for unemployment and more revenue from taxes of the employed and their employers, without raising their rates. Also, bids for the projects would have been lower back when unemployment was higher, construction firms were desperate for work and deterioration was less advanced.

Didn’t happen. Trying to fix blame now won’t retroactively fix a bridge or remove lead from Flint’s water. Looking at conditions now and at what we still can do is what’s most important.

What we have now is deplorable, with a capital D. Well, it’s with a D-plus. That’s the grade given by the American Society of Civil Engineers in its most recent report card on America’s infrastructure. The engineers issue a report card every four years, the most recent in 2013. Anybody expect higher grades in the next report card, in 2017?

Categories of infrastructure received separate grades, such as D grades (no plus) for roads, aviation, drinking water and hazardous waste. States were graded, too, although some state evaluations were completed before 2013. Indiana’s most recent grades weren’t as bad as some other states. For drinking water, Indiana graded

D-plus. I guess that’s great if you compare it with the D for Michigan’s drinking water systems and the overall D for the nation’s water. Overall, Indiana’s grade was D-plus, same as the nation’s. Michigan’s overall grade was D, no plus attached.

Politicians saying what can’t be done often cite initial cost and ignore the bottom line. The cost of doing nothing as conditions worsen often is much higher, and not just in dollars, than the cost of acting in time to prevent costly consequences.

The engineers graded Indiana C-minus for roads. They also calculated that sections of poor roads in Indiana were costing Indiana motorists \$391 a year in extra vehicle repairs and operating costs. Hoosier politicians boast how they are looking out for taxpayers, even as Indiana motorists are hit with what really is a \$391 annual “lousy roads tax.”

Saving money was the goal in Flint. Savings brought terrible costs. While states often haven’t invested wisely in their own infrastructure, many of the most needed projects involve more than one state, often a large section of the nation, and only Congress can authorize a program big enough to deal with the vast needs for a future beyond Third World standards.

Engineers grade the infrastructure. We can grade Congress. When Congress gets 14 percent on its approval test, the grade it deserves is clear. ❖

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

Coats rejects SCOTUS hearing

WASHINGTON – U.S. Sen. Dan Coats issued the following statement regarding President Obama’s nomination of Merrick Garland to the U.S. Supreme Court: “One of the most important responsibilities of a United States Senator is to provide ‘advice and consent’ on the president’s judicial nominees. I take seriously my responsibility to determine the best way to offer my ‘advice and consent’ regarding nominations to our nation’s highest court. The current vacancy has arisen in the middle of a highly contentious presidential election process and filling this vacancy will fundamentally alter the Supreme Court’s direction for generations. These are rare circumstances, as the last time the Senate confirmed a nominee in a similar situation was 128 years ago. Based on these unique circumstances and the precedent established by Democratic leadership including Joe Biden, Harry Reid and Chuck Schumer, the right thing to do is to give the American people a voice in the selection of their next Supreme Court justice. The next president, with input from voters in the upcoming election, should fill the current Supreme Court vacancy.” ❖

Mayor Kauffman set a great example

By **MORTON MARCUS**

INDIANAPOLIS – Last Thursday, the people of Goshen gathered to celebrate the nearly 18 years Allan Kauffman spent as mayor. It was a joyous occasion recognizing a humble man of honor.



There may not be a more demanding job than mayor of an Indiana city. Starved of revenue and authority by an anti-urban state legislature, yet bearing all the responsibilities of maintaining a civil city, a Hoosier mayor is hard-pressed to sustain on-going approval by the electorate.

Allan Kauffman achieved that approval as a city council member for 13 years before his appointment as mayor in 1997. He then was elected and reelected mayor four times. Respected statewide, Kauffman focused, as mayors must, on the daily demands of streets, sanitation, and safety. But ever-present was his pragmatic vision of a better community in a more inclusive society.

Long after the warm memories and funny stories of the evening fade, Goshen residents will have the Allan Kauffman "Good for Goshen" Award to reflect his civic achievements and Kauffman Park to enjoy his enduring legacy. On the same day, the Indiana General Assembly was irresponsibly bringing its latest session to a close, disgracing and disappointing the people of Indiana.

To understand the legislature, let's take a moment to consider that, according to my research, no Hoosier mayor has ever been elected governor of the state. Mayors who became legislators over the past 200 years have been few, although I do not have the numbers.

If Indiana governors and legislators have not experienced leading a city, are they likely to understand the diverse and complex problems of our many localities? In addition, can those who revere the agricultural past, and persist in believing in the glory of those times, function successfully in the economy that has characterized Indiana for the past 100 years?

As they left the Statehouse last week, legislators once again failed to resolve pressing needs of the state, while embarrassing us in the eyes of the world, and proving their resistance to modern life. They failed to provide a stable funding source for our many infrastructure needs. They did manage a patchwork, temporary fix for some local road and bridge projects. However, they failed to consider the status of our water and sewage systems, our local airports, and our 21st century communication needs. They also voted to increase public intoxication in state parks while deferring minimal protection for our state forests.



Talk to them, these neighbors of ours, and they'll tell you about the short session, the election year, and the need to compromise. If we doubled the length of the session, if we had no elections, and they were not subjected to the bullying of the majority caucus, still nothing would be accomplished.

The predominant belief of the legislature is the irreverent motto, "Ain't God good to Indiana?" What's good about Indiana more often is found in our city halls than in the corridors of the Statehouse. ❖

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Mysteries in economic populism

By **MICHAEL HICKS**

MUNCIE – No matter the outcome of this presidential election, in most US counties a majority of primary voters will have cast ballots for some sort of economic populism (a term we interpret as platform appealing to the hopes and fears of people). That suggests one of two outcomes. Either we will elect an overt populist now or face highly polarized anger among primary voters again in 2020.



Discerning actual policy recommendations from Bernie Sanders and Donald Trump is not a trivial task. To be fair to both men, few presidential candidates in recent decades (other than current Speaker of the House) have offered a clear suite of policies.

Sanders has laid out policy proposals, some of which with funding details and employment projections. This doesn't help much for the simple fact that Sanders has also spent a lengthy career as the least relevant elected official in Washington. This alone is a remarkable achievement, but even under the unlikely scenario of a Democratic super majority in Congress, it is difficult to imagine any of these proposals becoming law. While quixotic election runs may frequently be worthwhile as a way to change opinion, they rarely result in predictable legislation. So, honestly divining the likely policy changes of a President Sanders is elusive.

Evaluating the policy proposals offered by Trump

is far more daunting, maybe impossible. Save for the large wall spanning the 1,954 mile border with Mexico, to be voluntarily erected by the Mexican taxpayers, I cannot find many details that lasted more than one news cycle. I beg off analyzing the job creation possibilities of that project, as I am currently sober. That then leaves us with nothing from which to logically judge the policy platform of Trump.

The sum of all this, the impossibility of Bernie Sanders combined with the impermeability of Donald Trump, offers little insight into the policy aspirations of today's economic populists. The immaturity of this movement (and I don't mean that in the pejorative sense) is perhaps its most salient characteristic.

I'm troubled by the increasingly large segment of American voters who wish to see change but don't really yet know what change they want. Still, there are many concerns for which I believe thoughtful policymakers could find broad support. These include reform of a very complex tax code that fails to treat citizens with even a veneer

of equality. I also suspect we could think through a better social welfare system that merited work, while preserving a safety net for those who cannot. We can improve the Affordable Care Act significantly. We could resurrect immigration reform and construct an understandable foreign policy. The problem with all of these doable things is that they require compromise. We have a slow growing economy, an enormous federal debt and broken institutions from the family to the executive branch. These issues seriously lessen our options and those of future generations. More troublingly, compromise right now is an anathema to all the economic populists. That is immature, and I mean that in the pejorative sense. ❖

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Lake Dems feud over Paras, Mrs. McDermott

By RICH JAMES

MERRILLVILLE – There was a time when Indiana Democrats relied heavily on Lake County to provide the massive pluralities needed to elected governors and senators. And the Lake County party often did so, particularly under the leadership of former Democratic Chairman Robert A. Pastrick, who also was East Chicago mayor.



The pluralities in those days reached 120,000, which were impressive numbers in a heavily red state.

You can say the same thing today, particularly in terms of John Gregg's candidacy for governor and Baron Hill's bid for the U.S. Senate. Pluralities of 120,000 are pretty much out of the question today as Democratic numbers have fallen and Republican numbers have grown. But local and state Democrats still are relying on Lake County to provide big numbers for the statewide ticket.

That still remains possible, but there is a hitch – local Democrats are fighting like cats and dogs in anticipation of the May primary. Sheriff John Buncich, who is county Democratic chairman, and Hammond Mayor Thomas McDermott, who is the immediate past chairman, are at odds over several races that will be on the primary ballot. McDermott has accused Buncich of turning his back on the younger members of the party, particularly some of

those now holding office. Buncich denies the accusations, saying he isn't opposing any officeholder running in the May primary.

What it all boils down to is McDermott's wife, Marissa. Marissa McDermott, who never has run for office, is seeking the Lake Circuit Court judgeship. She is opposing incumbent Judge George Paras, who has the support of Buncich. Paras replaced Judge Lorenzo Arredondo, who appears headed to the Democratic nomination for attorney general.

Tom McDermott and Buncich haven't been friends since shortly after the sheriff took over the chairmanship. And now McDermott is criticizing Buncich for not supporting his wife. Buncich is supporting all countywide incumbents, which is a practice put in place by the late Stephen R. Stiglich when he was county chairman. The question now is whether the party can unite after the primary to benefit Gregg, Hill, Arredondo and others in the fall.

Lake Democrats are so focused on the fall that many think Democratic Lake County Commissioner Gerry Scheub, who is 80, is running for reelection to help the party in south county where Republicans often have the upper hand. Scheub is popular with Republicans and his presence on the ballot would help Gregg and other statewide candidates, Democrats say. Scheub had said he planned to retire, but apparently was convinced to seek another term to help the party.

We won't know if that will be the case, or whether split Democrats can unite, until after the November election. ❖

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.

Ron Fournier, The Atlantic: Hard to imagine anything more jolting to the body politic than a candidate who declares war on a religion (“Islam hates the U.S.”), who incites violence (“I’d like to punch him in the face”), who gets his foreign-policy advice from TV (“I really watch the shows”), who calls Mexican immigrants rapists, who mocks a disabled reporter, who winks at KKK supporters, and who is quantifiably the biggest liar in politics (which is like being the nastiest person in Hell). But this may be how it starts, not how it ends. America could trump Trump. From the start of his campaign, I’ve maintained that Trump’s disruptive potential says less about him than it does these times. First, I overestimated the political establishment. Nobody in a crowded field of rivals built a strong and sustained case against Trump; one after another, the bully made them flinch. In Washington, clueless Republican leaders dismissed Trump’s chances for months and, even now, lack the moral courage to defy him. Meanwhile, professional Democrats cheered Trump’s ascent as a sign of their own superiority, smugly ignoring the fact that his voters could be their voters if the Democratic Party hadn’t disconnected from their concerns. Second, I overestimated the media. My profession is no longer a trusted arbiter of the truth, which means the country lacks a common set of facts around which to argue. A broken business model makes media companies desperate for clicks and ratings, which makes news leaders vulnerable to Trump’s deal-with-the-devil bravado. You can’t talk to a journalist today without hearing about the shrinking of their newsrooms—in both size and mission. Third, I didn’t realize just how urgently people want to see the evisceration of the political status quo. They witnessed massive disruption in the retail, entertainment, and financial industries—in virtually every institution except for politics and government—and they can’t understand why Washington doesn’t change. I don’t think Trumpism goes away. If anything, under any scenario, it’s likely to get worse. Maybe Trump wins the GOP nomination and the presidency. If a bigoted, sexist, divisive, vainglorious fan of political violence can win a major-party nomination, he can become president. Or perhaps Trump wins the GOP nomination and not the presidency. Trump would emerge either as the sole owner of the party, emboldened for a second run, or tarnished. Either way, the anger that fueled his rise will not go away. It would likely intensify, especially if Democrats piously interpret a victory over Trump as affirmation of their party and the status quo. But perhaps Trump loses the GOP nomination. He would claim that it was stolen from him. His supporters would add this to their list of grievances against the establishment. Anger roils. ❖



Michael Gerson, Washington Post: On the Supreme Court, even well-intentioned Republican presidents have made choices that haven’t worked out quite

as planned. How would Trump, lacking a serious judicial philosophy, and perhaps facing a Democratic Senate, make his decision? Consult his radically pro-choice sister, an appeals court judge? Let his prospects battle it out on a season of “Survivor”? On these matters, Trump is entirely unmoored and unpredictable. What the argument for accommodation is missing is the core reality about Trump. His answer to nearly every problem is himself — his negotiating skill, his strength of purpose, his unique grasp of the national will. Americans are discontented with the governing class, with good reason in many cases. But Trump would be the oddest answer in our history to a leadership void. He has offered disaffected people an invitation to political violence. “Knock the crap out of them, would you?” he said at one rally. ❖

Dave Bangert, Lafayette Journal & Courier: It’s still too early to tell if Indiana, with its late-in-the-game May 3 primary, will get the full-on effect of the Donald Trump cavalcade as it careens toward a GOP presidential nomination. But it’s probably time to start thinking about how Trump’s rallies — already trap-door affairs for anyone unwilling to pledge allegiance to the Republican frontrunner — have been playing in recent weeks. Fists flying are one thing, egged on by promises from the podium that Trump might be willing to cover the legal costs of his fans decking protesters. Michael Mayo, a columnist with the Sun Sentinel, reported about being selected from a crowd, shooting pictures and video for the paper’s coverage of the Trump rally, and given the choice of “the easy way or the hard way” as he was told to leave. When he pointed out that he had a ticket and that the event was in a public park, a police sergeant laid out the campaign stop rules to a reporter who happened to be wearing his newspaper ID badge on a lanyard around his neck. From Mayo’s account in the Sun Sentinel the next day: “‘This is not a public park,’ Sgt. (John) Sluth said. ‘Tonight (this amphitheater) is rented by the Donald Trump campaign, and they are the ones who say who can come or go.’” So that’s the new standard, where a person’s appearance or job, rather than bum-rushing the stage, are enough to keep you out — or get you booted once you’re in — from a candidate’s public rally? Trump, of course, has been pulling this stunt for months, famously calling on supporters to point out protesters and hecklers so they could be escorted out. At a January rally in Bernie Sanders’ hometown of Burlington, Vermont, Trump told security, “Throw them out into the cold. ... No coats. Confiscate their coats.” Since then, he’s ramped up his rhetoric — “I’d like to punch him in the face,” Trump said about a protester in a late-February rally — while disavowing any actual punching in the face that follows. (Hello, from a North Carolina rally on March 9.) Let’s ask a local hypothetical: Are local police ready to take those kinds of direct orders from campaign officials if and when rallies come to Indiana? ❖

Obama chooses Judge Garland

WASHINGTON — President Barack Obama nominated Judge Merrick Garland, who is respected across political lines, to the Supreme Court Wednesday, in an epic power play targeting the resolve of Republicans who have vowed to block any replacement for the late Justice Antonin Scalia until a new president takes office (CNN). GOP leaders, caught in the undertow of an election in which the conservative grass-roots are already in revolt, immediately renewed their refusal to consider Garland, 63, saying their reservations were not personal but motivated by a desire for the American people to weigh in on Scalia's replacement. The showdown is even more fraught than most Supreme Court fights, since Obama's choice could tilt the ideological balance of the court away from conservatives -- possibly for years. In a speech in the evocative ceremonial surroundings of the White House Rose Garden, Obama praised Garland as "one of America's sharpest legal minds," making a case that he was so eminently qualified for the job in terms of legal learning, experience and temperament that any attempt to ignore his appointment could only be the result of base political motivations. "I have selected a nominee who is widely recognized not only as one of America's sharpest legal minds, but someone who brings to his work a spirit of decency, modesty, integrity, evenhandedness and excellence," Obama said. These qualities and his long commitment to public service have earned him the respect and admiration from leaders from both sides of the aisle."

Donnelly wants SCOTUS debate

WASHINGTON — U.S. Sena-

tor Joe Donnelly today released the following statement after President Obama nominated Judge Merrick Garland to replace Justice Antonin Scalia who passed away in February. Donnelly said, "I will carefully review and consider the qualifications of Judge Garland. As I have said, we were elected as Senators to do a job for our nation, and that job includes considering, debating, and voting on nominees to the Supreme Court. We should do the job we were elected to do."



SBOE rejects Pence reforms

INDIANAPOLIS — Gov. Mike Pence's goal of reorienting Indiana high school education to workforce training or college preparation appears unlikely to be completed during his first term (Carden, NWI Times). The State Board of Education decided Wednesday to postpone indefinitely further consideration of high school diploma changes aimed at making students "college- and career-ready." Board member Sarah O'Brien said following more than two hours of negative public and expert testimony, that she's not convinced the proposed high school graduation requirements are sufficiently backed by data proving their worth or need. "I think there are a lot of good things in this diploma, but I think our schools, our kids and our teachers are tired of change for the sake of change," O'Brien said. Under the proposal, crafted by a task force of the Pence-led Indiana Career Council, most students starting high school in 2018 would be required to take four years of mathematics and other new mandatory classes, including Preparing for College and Careers and Personal Financial Responsibility, along with completing a career experience "capstone." Critics at the School Board meeting questioned whether adding math classes would benefit mediocre math students, since it's generally considered more important they learn the concepts than barely

pass more courses.

Campbell returns as GOP chair

NOBLESVILLE — A panel of the Indiana Republican Party on Wednesday put Laura Campbell back as the chairwoman of the Hamilton County party, saying that her loss in a January vote was invalid (IndyStar). The decision by the Indiana Republican State Central Committee's hearing board hinged on a late email. Notification of 71 new Hamilton County party officials appointed Nov. 30 by outgoing Chairman Pete Emigh was not received by the state party until Dec. 2, one day past a Dec. 1 deadline. Fifty-two of the new appointees were present Jan. 30 to cast a vote, and all voted for Fishers City Council President Pete Peterson. Campbell lost 151-115. Campbell appealed Feb. 11, saying correct notification procedures were not followed. The state party on Wednesday agreed, saying those 52 appointees were ineligible to vote, which gave Campbell a 115-99 victory. "I feel great about the decision," said Campbell, who as vice chairman became interim chairman when Emigh resigned Dec. 31. "It's been a difficult process, but I thought it was the right thing to do and definitely happy with the results."

Holcomb talks small communities

LAPORTE — Indiana's new second in command views the challenge of decline in rural areas of the state as an opportunity to pave a road to a more prosperous future (NWI Times). A major key is for small towns not to isolate themselves, but join other communities in working as a region to promote the strengths about their part of the state and feeding off the energy produced from their successes, Lt. Gov. Eric Holcomb said. "You can literally get things done when you get folks on the same page moving in the right direction," said Holcomb.