

HB1002: Gas tax or the axle tax?

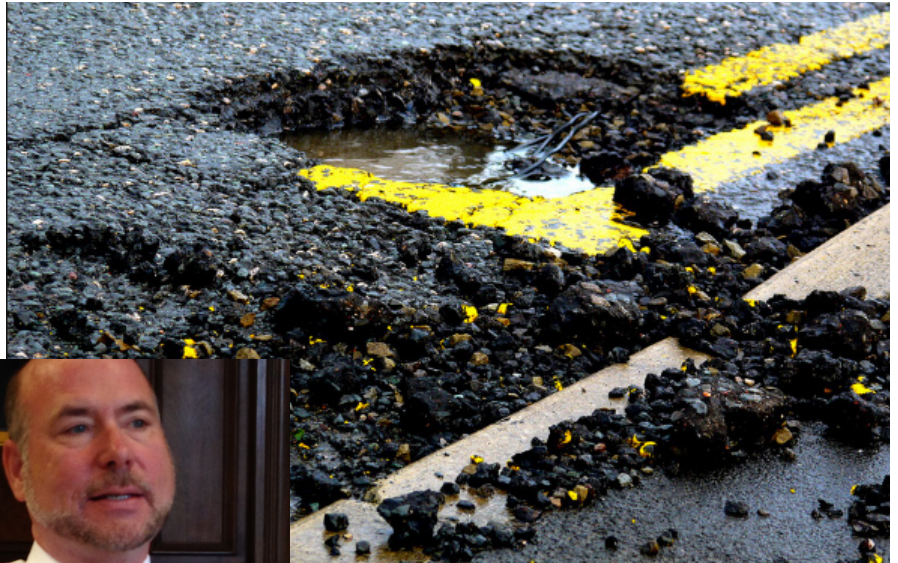
Gov. Holcomb, Republicans prepare for a long-term Indiana road plan

By **BRIAN A. HOWEY**

INDIANAPOLIS – Legendary Chicago columnist Mike Royko used to write about paying the “victim tax.” In general parlance, it meant getting mugged, having your car stolen or your apartment bur-

glarized. Hoosier motorists have been on a similar trajectory. They pay the “axle tax” or the “rim tax” or the “muffler tax.” It’s the collateral damage your car or truck takes from Indiana’s deteriorating roads.

On Wednesday, HB1002 passed out of the House Ways & Means Committee on a party line 14-9 vote. If passed into law, it would create a 10-cent per gallon gas tax hike, along with a number



of other changes.

According to statistics from the Indiana Department of Transportation and the Indiana House Majority Caucus, the average Hoosier motorist spends \$491 annually on vehicle repairs due to road surface conditions. About 16% of

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Putin and moral clarity

By **BRIAN A. HOWEY**

INDIANAPOLIS – I was a child of the Cold War.

If there was a bogeyman that fueled nightmares, it was Soviet dictator Nikita Khrushchev, who proclaimed, “We will bury you!” and hammered the United Nations podium with his shoe. When I was in the second grade at Edgewood Elementary School in Michigan City, we could sense our teachers and parents acting strangely. The teacher finally told us President Kennedy was going to make an important speech on an October night.

This was the Cuban Missile Crisis and my father would later tell me he feared nuclear annihilation. They actu-



“I don’t ever want to call a court biased, so I won’t call it biased, and we haven’t had a decision yet. But the courts seem to be so political.”

- President Donald Trump, speaking about his travel ban to American police chiefs



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ally thought the world as we knew it would be blasted away.

The home where I grew up in later years in Peru was about five miles from the Grissom Air Force Base runway. Grissom was home to nukes. B-58 Hustlers and KC-135 Stratotankers were a constant sight in our subdivision, our big water tower a landmark for the pilots and navigators. Some of them lived in our neighborhood. I attended school with dozens of Air Force brats who had moved in from Germany, Japan or the Philippines.

The year I was born, Soviet tanks rolled into Budapest to crush a revolution for freedom. On a night in August 1968 when the Beatles released "Hey Jude," the Soviet tanks were cleaving the Prague spring.

At Indiana University, I studied in the Russian/East European Institute and read extensively of life and atrocity inside the Soviet Union and behind the Iron Curtain. As a journalist in Elkhart, I reported on a growing Russian dissident community that had immigrated there. Georgi Vins gave me a Holy Bible made of waterproof material, designed to be shoved into snow drifts if KGB agents approached. It is still a precious possession.

In the later stages of my career, I reported extensively on Sen. Richard Lugar's efforts to control the nuclear, biological and chemical flotsam after the Soviet Union collapsed. I read about a sinister regime that churned out metric ton after metric ton of sarin and VX gas, anthrax and other weapons that could have exterminated life as we knew it on the planet. They kept making the stuff and kept little inventory. Lugar would tour old Soviet missile silos, finding photos tacked to the walls of American cities they might one day destroy.

Lugar and Sam Nunn, who originated the Nunn/Lugar Cooperative Threat Reduction Program, told stories of sarin gas in 80mm shells,

stored in eroding chicken coops behind chainlink fencing and padlocks.

When we visited the Mayak Fissile Material Storage facility near Yekaterinburg in 2007, I watched Washington Post foreign editor David Hoffman grill two FSB agents on the fact that 97% of the world's polonium supply was here. And a little bit of it ended up in London, where it was used in 2006 to murder Aleksandr Litvinenko, a former FSB agent and opponent of Russian President Vladimir Putin. In preparing for the Nunn/Lugar trip to Russia, I extensively read accounts of the Putin regime by investigative journalist Anna Politkovskaya, murdered in 2006 on Putin's birthday.



She is one of more than 200 journalists slain during the Putin era. My own stay at the Moscow Grand Marriott was interrupted when FSB agents ransacked my room while I attended a Carnegie Institute event.

So it is with epic incredulity that I've watched this past year as President Donald Trump, and now Vice President Mike Pence, embrace President Putin. They lend him coveted "respect" and are ready to wheel and deal. In the lead-up to the Super Bowl last Sunday, Bill O'Reilly of Fox News questioned Trump on Putin. "I do respect him. Well, I respect a lot of people, but that doesn't mean I'll get along with them," Trump replied. O'Reilly pressed on, declaring to the president that "Putin is a killer." Unfazed, Trump didn't back away, but compared Putin's reputation for extrajudicial killings with the United States'. "There are a lot of killers. We have a lot of killers," Trump said. "Well, you think our country is so innocent?"

Earlier Sunday, I watched Pence have another Stephanopolous/RFRA moment, when John Dickerson pressed him on Face the Nation. "Do you agree?" Dickerson asked of respect for Putin and moral parallels. Politico reported: "And Pence had to draw a long, pronounced breath." Then, asked four times whether

the United States is “morally superior” to Russia, Pence avoided and danced around the question before relenting (kind of).

DICKERSON: Do you think America is morally superior to Russia?

PENCE: What – what you have in this new president is someone who is willing to, and is, in fact, engaging the world, including Russia, and saying, where can we find common interests that will advance the security of the American people, the peace and prosperity of the world? And he is determined to come at that in a new and renewed way.

DICKERSON: But America morally superior to Russia – yes or no?

PENCE: I believe that the ideals that America has stood for throughout our history represent the highest ideals of humankind.

Of all the events and quotes that have taken place over this past year, the Trump/Pence willingness to embrace and “respect” a murderous thug dictator is, perhaps, the most shocking. American presidents for the past 75 years have dealt with men of such ilk. We even allied with Marshal Josef Stalin, a man more murderous than Adolf Hitler, to win World War II. But Presidents Roosevelt and Truman never said they “respected” him and drew moral parallels. Or when pressed, drew a corresponding comparison to American leaders who don’t murder political opponents and support genocide.

And since Sunday, the crimes of the Putin regime persist. On Monday, Amnesty International reported that a Putin ally and client, the Syrian Bashar al-Assad regime, had executed 13,000 political prisoners at Saydnaya prison north of Damascus. Putin backed this war criminal, who terrorized his population with chemical weapons and barrel bombs. The Trump/Pence response is to seek to ban refugees of this mayhem from entering the United States or resettling in Indiana.

On Monday, the wife of Kremlin critic Vladimir Kara-Murza, Jr., reported that doctors have diagnosed him with “acute poisoning by an undetermined substance,” according to Radio Free Europe. It fits neatly into a pattern where political opponents and critics are murdered, poisoned and imprisoned. The lucky ones escape in exile.

On Tuesday, a regional Russian court declared opposition leader Alexey Navalny guilty in a retrial of a 2013 embezzlement case, a felony conviction that may prevent the whistleblower from participating in Russia’s 2018 presidential elections, the Washington Post reported. Navalny announced last December he would challenge Putin in 2018.

Trump and Pence use such “respectful” rhetoric under the guise that they see an “ally” in Putin in a war with ISIS. They neglect to point out that Putin and Assad seek to annihilate other allies aligned against both the Syrian criminal regime and ISIS.

Throw in the Putin regime’s chilling interference

in the 2016 U.S. presidential election, and the potential bombshells that Congress may unearth in the coming months and this is a dangerous, dangerous game for the administration.

Trump and Pence don’t seem to understand that their weird embrace undermines their own credibility. Trump doesn’t read history, so much of the Soviet and Putin atrocities and criminality might surprise him. Pence’s grasp on history may be compromised by his epic ambition and willingness to go along with anything Trump might say or do.

If there is moral outrage, it is coming from un-nerved congressional Republicans who do know the



Fox News Bill O'Reilly pressed President Trump on Russian President Putin.

difference. “I don’t think there’s any equivalency between the way that the Russians conduct themselves and the way the United States does,” Senate Majority Leader Mitch McConnell said, adding, “I’m not going to critique the president’s every utterance, but I do think America is exceptional. America is different. We don’t operate in any way the Russians do. I think there’s a clear distinction here that all Americans understand, and no, I would not have characterized it that way.”

U.S. Sen. Marco Rubio weighed in on Twitter: “When has a Democratic political activist been poisoned by the GOP, or vice versa? We are not the same as #Putin.” U.S. Sen. Ben Sasse said, “There is no moral equivalency between the United States of America, the greatest freedom living nation in the history of the world, and the murderous thugs that are in Putin’s defense of his cronyism.”

“Vladimir knew there was no moral equivalence between the United States and Putin’s Russia,” observed U.S. Sen. John McCain, the 2008 Republican presidential nominee, referenced the poisoning of Kara-Murza. “There is no moral equivalence between that butcher and thug and KGB colonel and the United States of America.”

Pence could and should have spoken with that type of clarity on Sunday. As for Trump, his motives are clandestine.

MSNBC “Morning Joe” host Joe Scarborough wrote a searing “snap out of it” Washington Post column Wednesday, saying, “President Trump’s claim that America is morally on par with Russia’s corrupt dystopian regime was so historically ignorant that even timid Republicans felt compelled to speak out this week. Perhaps that is

because remaining silent in the face of such a morally disorienting claim would make them look like fools. Vladimir Putin is, after all, the same ruthless autocrat who kills journalists and political rivals who cross his path. He is also the same man who called the Soviet Union's collapse "the greatest geopolitical catastrophe of the century."

He notes that Putin's dream of resurrecting of the Soviet Union by one invasion or annexation after another means reviving a regime that, according to Russian novelist and historian Aleksandr Solzhenitsyn, murdered 60 million of its own citizens. It is why citizens of the three Baltic nations are spending a weekend a month practicing for a coming guerilla war after the Russian tanks roll once more.

"If Trump would like a tightly controlled experi-

ment to compare the moral might of America and Russia, Afghanistan is a useful case study," Scarborough wrote. Following the 1979 Soviet invasion, 1 million people were killed, some with bombs and land mines planted around villages and farm fields. Following the 2001 U.S. entry, the country has experienced "the greatest degree of freedom" in modern times. "There is no moral equivalence between the United States and Russia," Scarborough said. "That much is clear. What is not is why Trump would so gleefully continue to spread this dangerous lie."

With the Trump/Pence regime already off to a staggering start, their rhetoric toward Putin becomes, as Winston Churchill once observed, our own 21st Century "riddle, wrapped in a mystery, inside an enigma." ❖

Road bill, from page 1

Indiana's major roads are rated in poor condition, along with 11% of specifically state-maintained pavement.

Indiana is home to 98,000 centerline miles, with INDOT maintaining roughly 11,000 centerline miles, counties maintaining over 66,000 centerline miles (75% paved; 25% unpaved), and cities and towns maintaining over 18,000 centerline miles.

Then there are the 18,984 bridges with an average age of 43 years. INDOT maintains roughly 6,000, locals maintain roughly 13,000. Of those, 9.8% (1,861) of bridges are "structurally deficient," which means one or more of the key bridge elements is rated in "poor" or worse condition; 10.2% (1,939) of bridges are "functionally obsolete," which means the bridge no longer meets design standards for its current usage. In 2015, INDOT estimated it would cost \$3.7 billion to fix all "structurally deficient" and "functionally obsolete" bridges.

As for the political costs, look no further than the I-65 closure of a damaged bridge in Lafayette in August 2015. As Democrat John Gregg prepared for his rematch with Gov. Mike Pence, the sinking I-65 bridge, which was closed for more than a month, became a rallying cry. Pence had been reluctant to latch on to a long-term funding program that included a dreaded tax increase, fearing it would hamper his already fragile reelection prospects.

Bosma and House Roads and Transportation Chairman Ed Soliday began a quest for a long-term road funding program in 2016. It comes after the 2006 Major Moves program of Gov. Daniels, who forged a 75-year lease of the Indiana Toll Road to pay for the I-69 extension to Evansville, reworking U.S. 31 between Indianapolis and South Bend to interstate standards, and finishing projects

ranging from replacing the Ohio River bridge at Madison and building new ones at Louisville. It also created a Next Generation funding mechanism. The other major element to all of this is that since 2006, Indiana has rapidly been adding lane miles to I-65 and I-69, U.S. 31 and the Hoosier Heartland and Fort-to-Port projects. Within the next two decades, these added lane miles will need to be repaired and replaced.

The answer developing among House Speaker Bosma, Senate President David Long and Gov. Eric Holcomb is a proposed 10-cent-a-gallon gasoline tax hike. Politically, this would have been unfathomable a mere eight years ago when gas prices rocketed to an average \$4.54 per gallon. Since Bosma and Soliday began this initiative, prices have hovered between \$1.90 and \$2.50 per gallon. During the Obama administration, fracking and shale extraction increased, while Saudi Arabia and OPEC increased production.

As we all know, Pence is now vice president and Gov. Holcomb has ascended. "When it comes to paying for these projects I'm open to a menu of options," Holcomb said during his State of the State Address, stating a preference for the gas tax hike as opposed to tolling on roads such as I-70. "The fact is, existing sources of revenue are just not keeping up. Now I'm a believer that every time you ask a taxpayer for a dollar you better be darn sure you need it and are going to use it effectively for its intended purposes."

However, tolling began last December on the Louisville metro bridges and the political outcry thus far has been minimal.

The policy and political rationale behind Holcomb's thinking is that if a tax hike is needed, do it in the first year of your term. His mentor, Gov. Daniels, proposed early tax hikes in his first term, saw his favorables drop below 40% two years in, only to have them emphatically rebound during his 2008 reelection bid, which put him in



Chairman Ed Soliday with LaPorte Mayor Blair Milo. (HPI Photo by Brian A. Howey)

front of cameras for dozens of Major Moves project ribbon cuttings. Daniels won reelection with 58% of the vote. An early cigarette tax hike under Daniels forged the Healthy Indiana Plan, which evolved into HIP 2.0 under Gov. Pence, arguably one of his best policy achievements. There was virtually no political fallout from that Daniels era tax hike.

"Few government policies touch so many aspects of Hoosiers' daily lives," Bosma said of road funding. "Indiana's roads and bridges connect our homes, schools, offices, factories and farms, and are indispensable arteries for our manufacturing and logistics-based economy. If transportation infrastructure is not placed on a fiscally sustainable path, Indiana's current long-term economic competitiveness will be undermined. We can't honestly call ourselves the Crossroads of America with infrastructure inadequate to meet Indiana's 21st-century economic realities."

Bosma adds, "Significant progress in infrastructure funding has been made over the last decade. In 2006, Mitch Daniels' Major Moves plan fully funded \$11 billion in roadway projects and maintenance over 10 years. A fifth of our state's bridges were rehabilitated or replaced and half of our state's highways were resurfaced. Lawmakers have since improved ongoing funding by eliminating \$140 million in annual diversions from gas taxes, which paid for non-road expenditures, and redirecting a third of the gas sales tax toward roads. Last year, lawmakers provided local communities with more funding tools, created a matching grant program that has already awarded \$150 million for qualified local projects and incentivized local governments to adopt best practices for management and maintenance."

Finally, Bosma underscores the dilemma and need for HB1002. "Unfortunately, current road funding tools are inadequate," he explained. "Hoosier motorists have long understood fuel taxes are the dedicated funding mechanism for our state's roads. The more we drive, the more we pay. Untouched since 2003 at 18 cents per gallon, our current gasoline tax has lost significant buying power due to inflation, improved fuel efficiency and alternatively fueled vehicles."

Overview of GOP plan

The Funding Indiana's Roads for a Stronger Safer Tomorrow (FIRSST) Task Force confirmed the INDOT-Cambridge Systematics study from 2015, that Indiana is currently in decent shape, but ongoing road funding will continue to fall short at both the state and local level.

Over the next 20 years, INDOT will need on average an additional \$1.2 billion to \$1.4 billion annually. Matthew Butler, communications and policy advisor for the

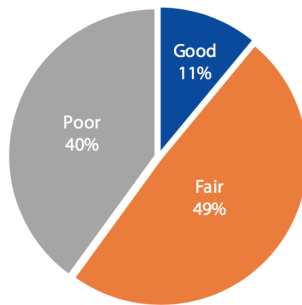


Figure 1.3. County Road Conditions

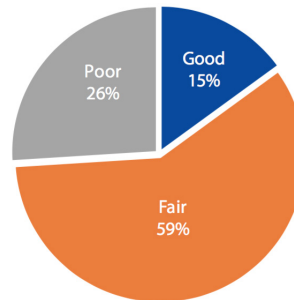


Figure 1.2. City Road Conditions

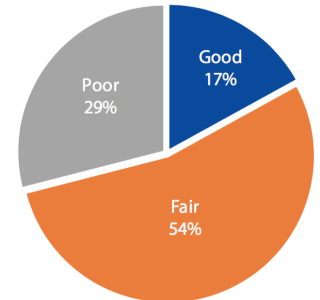


Figure 1.1. Town Road Conditions

Indiana House Republican Caucus, told HPI, "If nothing new were done this session, our projected state road funding gap would be \$928 million in FY2019."

An overview of the House Republican Plan HB1002 includes:

- Increase user fees by 10 cents to restore lost buying power. The gasoline tax (currently, 18 cents) was last adjusted in 2003. A 10-cent increase would mean \$4 more per month for the average Hoosier motorist.

- Special fuel tax (diesel) (currently, 16 cents and last adjusted in 1988). The motor carrier surcharge tax (commercial trucking/busing) is currently 11 cents and last adjusted in 1988. To prevent underreporting and free riding, the Motor Carrier Surcharge Tax would be collected on diesel fuel at the pump. Non-commercial drivers would be reimbursed \$100 per year by BMW.

- Index all fuel tax rates annually using a formula that incorporates CPI-U (inflation) and Indiana personal income growth. Fuel tax rates would adjust annually based on the index at a maximum of 1 cent per year.

- Transfer, over three fiscal years (FY2019-FY2021), the remaining 4.5 cents of the sales tax on gasoline (gas user tax) from the General Fund to the State Highway Fund. Currently 2.5 cents of the 7-percent sales tax on gasoline go toward roads: 1 cent to the Motor Vehicle Highway Account and 1.5 cents to the Community Crossings Matching Grant Fund.

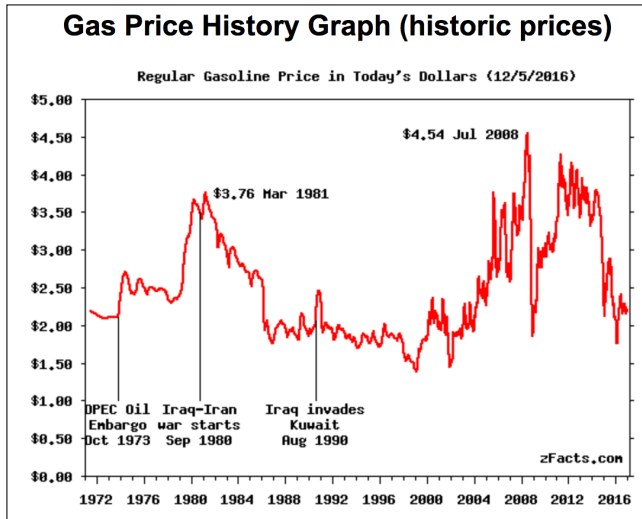
- Implement a \$15 annual statewide infrastructure improvement fee on all registered vehicles in Indiana. Implement a \$150 annual statewide infrastructure improvement fee on all electric vehicles (which do not pay fuel taxes) registered in Indiana. Both annual registration fees will be directed entirely to the Community Crossings Matching Grant Fund.

- Require INDOT to further study tolling and submit a waiver to the federal government to allow tolling of existing interstates.

- Implement a new federal fund swap program that could save local governments up to 20% on projects by no longer having to follow stringent and largely unnecessary federal requirements.

- Lower minimum population threshold applicable to the municipal wheel tax/surtax from \$10,000 to \$5,000, and extend the deadline for adopting a county or municipal wheel tax/surtax from July 1 to Nov. 1.

Gary Langston, who heads the Indiana Motor Truck Association, is supportive of most of HB 1002, but believes the special fuel tax is a problem. "In fact, most of what is contained in HB 1002 is of some consequence to the trucking industry," Langston told HPI. "We believe a gas and diesel fuel tax increase is necessary and is the best and most immediate and efficient way to generate the additional revenue needed."



state. That system allows tens of millions of dollars to fall through the cracks each year, depriving our state of vital road and bridge funding dollars, which as you know are currently being closely scrutinized. Only three states have a surcharge that is not on the pump and it's easy to see why. We will remain vigilant through the rest of the session in an effort to keep the surcharge on the pump."

Gas prices and political risks

In his 2015 State of the Union Address, President Obama observed that America was "number one in oil and gas" and that "thanks to lower gas prices and higher fuel standards, the typical family this year should save \$750 at the pump." It was a realization from the days of the Nixon and Carter presidencies where gas shocks in 1973 and 1979 prompted them to call for energy independence. America has come a long way since then.

But Langston pointed to one in particular. "There have been several amendments to HB 1002, but none is more important to the trucking industry in Indiana than amendment No. 24 which passed the House Roads and Transportation Committee," he said. "That amendment places the diesel fuel 'surcharge' on the pump which will be paid at the point of sale instead of requiring trucking companies to file a quarterly report with the Department of Revenue telling them how much fuel tax they owe the

John McLaughlin, a distinguished practitioner-in-residence at Johns Hopkins University at the Paul H. Nitze School of Advanced International Studies, told Politico Magazine in January 2016, "The oil price drop will be one

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of the pivotal issues of 2016, and probably beyond. Oil prices are notoriously hard to predict, but every indication is that they will not go up markedly, and may drop further." During the 2016 campaign, gas prices never became an issue.

McLaughlin explained, "Countries (like Saudi Arabia) that were once able to manipulate prices with OPEC agreements have lost that ability in part because counterparts – especially those already in deep trouble (Venezuela), or those coming back online (Iran) – want to chase market share by pumping freely. Moreover, if a major producer looks for supply-cutting allies outside OPEC, they will trigger a catch-22 phenomenon: If prices go up, it will re-energize U.S. shale entrepreneurs, who have cut back investments due to low oil prices, but who are agile enough to reenter the market quickly, pushing production back up and limiting the impact of restraint elsewhere."

Still, there is risk that prices could shoot back up. T. Boone Pickens, chairman and CEO of BP Capital, explained, "I have been through boom-and-bust cycles in the oil and gas industry all my life. Each one has had one thing in common: Because no political leader had the foresight to enact an energy plan when prices were reasonable, when prices went too high or low, there was surprise and distress."

John Deutch, an emeritus Institute professor at the Massachusetts Institute of Technology, adds, "Massively lower oil and gas prices are good for American consumers and U.S. foreign policy. That will be true for as long as the prices last, which will likely be one or two more years, doubtfully for five years, and almost certainly not for a decade."

Compromise in 2016

Butler told HPI, "It's important to remember that passing a data-driven, comprehensible, and sustainable road-funding plan was the top agenda item for House Republicans during 2016 as well. This has been an effort that began shortly after Republicans regained the majority in the House. We funded a multiyear, \$1-million INDOT study by Cambridge Systematics to examine Indiana's road funding needs. It was released in late 2015. It informed our 2016 legislation."

Butler said the final version of last year's House Enrolled Act 1001–2016 was the result of compromise. "While the original House-passed version included increased user fees, the ultimate package did not," he explained. "However, it did provide \$335 million in additional (one-time) revenue for INDOT to meet preservation and maintenance needs through FY2018. It created and provided \$193 million in upfront money for the Community Crossings Matching Grant Fund. It provided an ongoing funding mechanism for the fund by shifting 1.5 cents from the sales tax on gas, roughly \$100 million per year. Last year's legislation also gave local units of government additional road-funding tools by allowing cities and towns with populations over 10,000 to pass municipal wheel taxes (to

a maximum of \$40) and surtaxes (to a maximum of \$25)."

Finally, HEA1001–2016 maintained a sense of urgency to investigate long-term solutions to our road funding shortfalls by creating the Funding Indiana's Roads for a Stronger Safer Tomorrow (FIRSST) Task Force. This panel of experts and legislators met over the summer and autumn; their work confirmed Indiana will have a significant road funding shortfall starting in FY2019. It strongly recommended new ongoing investments and revenue streams to address the projected funding gaps.

Democrats, AFP react

Repeating the mantra that House Republicans want to make this "the most tax heavy session in Indiana history," House Democrats offered their alternative to the road-funding plan on Monday. Minority leader Scott Pelath introduced the plan and called it "a credible alternative" to the Republican plan which funds Indiana's roads through increasing the gasoline tax, among other fees.

But the reality of Indiana politics for Democrats and the fact that Republicans hold super majorities and the governor's office mean it may be more noise-making than law-making from Democrats.

Pelath said that the current proposed funding by Republicans "is a problem of priorities," and said that he thinks the Democrats' idea is adequate for Indiana's road needs. "House Republicans have advanced a proposal that increases the taxes you pay at the pump and at your local license branch, and raises the specter of new toll roads across our state. House Democrats believe we can do more, without raising new taxes or providing new tolls on roads, by ensuring that government lives within its means," Pelath said.

Bosma reacted, saying, "We are now six weeks into session, and we are finally hearing from the House Democrats on how to address our shared concerns for the future of Indiana's roads. Their plan would raise taxes, result in cuts to education and jeopardize our state's AAA credit rating." Chairman Soliday added, "The House Democrats' proposed plan is missing responsible, sustainable, long-term funding. They do not fully understand our current and future infrastructure needs and they have a plan that is lacking in data to back up their proposal. The door is always open for a bipartisan solution, but we refuse to kick the can down the road."

Americans For Prosperity also opposes HB1002. "Given our state's projected \$1 billion revenue increase we are confident we can come to a solution that fully funds our roads and bridges without a massive gas tax hike," said Justin Stevens of AFP. "The current proposal would hike gas taxes to the fifth highest in the nation, imposing a heavy burden on Hoosier families and reversing our state's trend towards lower taxes and fiscally responsible budgets. When 85% of gas sales tax revenue does not go to roads there is no excuse for this gas tax hike. Let's prioritize existing revenues for roads and keep our tax burden low."❖

Appointed education chief a fait accompli

By THOMAS CURRY

INDIANAPOLIS – In all but a done deal, Indiana voters may have one less box to check on Election Day 2020. This week, the Senate Elections Committee voted out of committee SB179, a bill to make the state superintendent of public instruction an appointed position of the governor. Currently, Indiana is one of only 13 states where voters choose the head of education.



Gov. Eric Holcomb wants to change that and called it a key part to bettering education in Indiana when he released his legislative plan in early January. Holcomb said it's "not about the person, it's about the position" and that making it an appointed position allows for a unified Statehouse. Holcomb expected it to be done soon and proclaimed that by 2021 it will be a appointed position.

While bipartisan support for the issue has been seen in years past, with several administrations considering the change, the political landscape makes it possible this year. With support from the governor's office and super majorities in both chambers, it seems destined to happen.

In recent years, the position has been a source of conflict and tension in Indiana politics, with Supt. Glenda Ritz being the only Democrat holding a constitutional office. Vice President Mike Pence, as incoming governor in 2013, immediately stripped Ritz from important committees and positions usually filled by the superintendent, causing political backlash and minimizing the role. While there may be motive to avoid this scenario again, no one is saying it.

During 16 consecutive years of Democratic gubernatorial rule, the position had been held by Republicans, including four terms by Supt. Suellen Reed.

The state's current superintendent, Republican Jennifer McCormick, has seen the restraints placed on Glenda Ritz reversed and holds a critical voice on educa-

tion issues. However, McCormick has come out in support of the governor's stance and thinks it should be an appointed position as well. "I do not view this as a personal reflection of my ability or willingness to effectively work with the governor," said McCormick. "While I value the notion of a separation of powers between the governor and state superintendent, I fully recognize that the governor and state superintendent must work collaboratively."

Sen. Jim Buck, an author of SB179 and vocal advocate for making the superintendent a appointed position, told HPI, "It's long past time" that this be done. Buck explained, "It's been bantered about for some 30-plus years that I can think of" and that he had tried to get a bill passed on the issue in the past. "I think it would give the position more responsibility; if they aren't performing well they could be fired," continued Buck. He added that voters will simply look at the governor's position on education more closely, and that voters will still have an important impact on who runs education.

Not to be lost in the issue however, is the idea that Hoosier voters may not receive the change so well. Senate



Dr. Jennifer McCormick celebrates her Republican Convention nomination for superintendent in June 2016. McCormick went on to upset Democrat Supt. Glenda Ritz last November. (HPI Photo by Mark Curry)

Minority leader Tim Lanane spoke out against the bill when asked by HPI. Sen. Lanane doesn't think it's necessarily a bad idea, but argued, "I'm more for letting the people decide who the head of education is. I trust the people, I think they make the right decision, mostly." Lanane doesn't believe it will make the position less effective, only "shifts the focus on the debate. Glenda Ritz, and our current superintendent Jennifer McCormick, are well-qualified for the job and have degrees in the field."

On the chances of the bill passing, the Senate minority leader commented gravely, "There are 41 members of the Republican caucus; they should be able to gather

up some votes there." Ultimately, Sen. Lanane expects that Hoosier voters will understand "it is what it is" whenever the change is made, but that he wants voters to keep power.

Bill would exempt mentally ill from death penalty

Senators Jim Merritt, John Ruckelshaus and Eric Bassler have joined together to sponsor a bill aimed at exempting people with Serious Mental Illness (SMI) from Indiana's death penalty. The bill, SB-155, is expected to be heard by the Senate Judiciary Committee within the next three weeks.

The bill would remove capital punishment as a penalty for people who suffer from one or more of six specific types of SMI: schizophrenia, bipolar disorder, major depressive disorder, delusional disorder, post-traumatic stress disorder and traumatic brain injury. Once enacted, this legislation would offer individuals with SMI the same legal protections already granted to people with intellectual disabilities and juveniles.

"I am a supporter of the death penalty when it is a just punishment," said Merritt. "In these cases, however, when a person has been professionally diagnosed and judged to have a Serious Mental Illness, I'm convinced that this exemption should apply. No person with impaired judgment due to mental illness should be executed."

Matthew Ellis, Project Direct of the Hoosier Alliance for Serious Mental Illness Exemption (HASMIE), agrees and emphasizes that this is not a "free pass" for those with SMI. "Although the death penalty would be removed from consideration, the defendant can still be found guilty and held accountable for crimes," he said.

"This is not an insanity defense. It does not preclude a life-without-parole sentence or absolve any responsibility for the crime," Ellis added. "It only removes the death penalty from consideration when the defendant was in the grip of a psychotic delusion, hallucination or other disabling psychological condition at the time of the crime."

In addition, this legislation would reduce the cost of these trials by more than 90%, compared to a full death-penalty trial. "The average capital case costs the system almost \$450,000, due primarily to the lengthy appeals process and additional projections required by these cases," Ellis stated. "The average case seeking life-without-parole costs less than \$43,000."

To find out more about the bill, Hoosiers are encouraged to visit HASMIE.org and the Indiana General Assembly website (iga.in.gov/legislative/2017/bills/senate/155).

HASMIE is an Indiana-based coalition of mental health advocates and organizations opposing the use of capital punishment for those with Serious Mental Illness.

Bill should shorten opioid prescription length

Patients who are in need of pain medication

may soon find their doctor can only prescribe them for a shorter period of time (Beach, Statehouse File). Senate Bill 226, authored by Sen. Jim Merritt, R-Indianapolis, would limit the amount of time a physician can prescribe opioids to minors and first-time adult users to seven days. Merritt said this would give doctors specific guidelines to follow when prescribing the drugs so everyone would know what the rules are. The Senate Health and Provider Services Committee passed the bill 10-1. Supporters said the bill would cut down on the number of unused pills patients, limiting the opioid abuse problem.

East Chicago aid proposal advances

Members of the Indiana House Environmental Affairs Committee unanimously passed legislation authored by State Representative Earl Harris Jr. (D-East Chicago) that seeks to help East Chicago respond to its ongoing lead crisis, a news release stated (Howey Politics Indiana). House Bill 1344 proposes the Indiana Department of Environmental Management (IDEM) assist the United States Environmental Protection Agency (EPA) with sampling, excavation, and removal of contaminated soil and restoration work in the West Calumet area. This legislation also pushes the Indiana Housing and Community Development Authority and the United States Department of Housing and Urban Development (HUD) to help residents effected by this crisis to relocate to new homes, and also proposes that IDEM or the State Department of Health (ISDH) conduct annual testing for the presence of lead and arsenic in the soil and water in East Chicago. HB1344 also requires the state to collect from the EPA the reasonable costs incurred by state agencies in providing the assistance.

Privacy concerns delay abortion bill

Complications from abortions would be reported to the state under an amendment proposed Wednesday to an Indiana House committee (Miley, Anderson Herald Bulletin). The amendment was placed on hold for a week until privacy concerns could be addressed. The amendment was part of an hour-long discussion before the House Public Policy Committee, on which Rep. Terri Austin, D-Anderson, serves. The proposed House Bill 1128, authored by Rep. Ronald Bacon, R-Boonville, a respiratory therapist, would require that a pregnant woman be informed orally and in writing before a chemical abortion that the chemical abortion may be possibly arrested or reversed. Among a series of amendments discussed, one would require reporting the abortion to the Indiana Department of Health. Austin questioned whether there were assurances in the proposed law to protect a women's privacy. The amendment was placed on hold for a week until the bill's author devises wording to ensure the identity of the women obtaining the abortion would not be reported to the state.

Doctors split on abortion bill

A House committee heard public testimony on a

bill that would require abortion providers to tell patients their medication-induced abortions could be reversible (Smith, Indiana Public Media). Some doctors support that bill, while others call it scientifically unsound. Indianapolis OB-GYN Dr. Katherine McHugh says there've been no medically recognized studies regarding medication abortion reversals. "Please do not confuse a medical gamble with vetted, scientific data," McHugh says. In favor of the bill, Dr. Christina Francis is a Fort Wayne OB-GYN and part of the Abortion Pill Reversal Network, a hotline for women seeking to reverse their medication-induced abortions. She says there have been only 300 successful reversals in 11 years, but says that's because not enough women know about the procedure. The committee did not take a vote on the bill.

Casinos could start paying less taxes

Indiana lawmakers have eased the burden of a proposed casino tax change on local and state government, but they would still lose money if a House bill becomes law (Lange, IndyStar). By the year 2021, local governments in casino communities around the state would lose a collective \$6 million per year from the state government due to the proposed tax changes, and the state itself could lose \$4 million to \$12 million per year. While most of the money the state loses now goes to the general fund, the Division of Mental Health alone would lose \$2 million. Currently, the state pays \$48 million to help supplement the money certain state funds and local governments receive from their casino's admissions taxes. In the original language of the bill, that number was capped at \$30 million, and local governments would have felt the most impact. The updated legislation would delay the change, lowering the supplemental payment to \$44 million in 2020 and then \$40 million every year following.

Pharma robbery bill passes

The House Committee on Courts and Criminal Code passed a bill increasing penalties for stealing prescription drugs from pharmacies in Indiana (Howey Politics Indiana). A news release from the House Republican Caucus stated that State Rep. Sharon Negele (R-Attica) authored the legislation and was joined by State Rep. Sally Siegrist (R-West Lafayette) on the proposal to help reduce the number of drug store robberies. House Bill 1312 would increase the penalty for stealing prescription drugs from a pharmacy to a Level 4 felony. If the individual uses a deadly weapon or causes bodily harm to another person during the robbery, the offense would be enhanced to a Level 2 felony. If the robbery results in serious bodily harm, the offense would be a

Level 1 felony. Negele and Siegrist's bill will now go to the full House for consideration.

House OKs diabetes committee


According to information provided by the House Democratic Caucus, the House yesterday passed House Bill 1642, legislation authored by State Representative Vanessa Summers (D-Indianapolis) to create a study committee that will examine and improve diabetes care, in addition to controlling complications associated with diabetes.(Howey Politics Indiana). This measure passed 95-0. The committee will also study the benefits of current programs that are already in place and identify all the current and collaborative efforts to address diabetes. This study committee will then be tasked with submitting a final report containing its findings and recommendations to the Legislature, which will take action in reducing the impact of pre-diabetes, diabetes, and diabetes-related complications.

Bill would speed up sewer approvals

The House Committee on Environmental Affairs today passed State Rep. Tim Wesco's (R-Osceola) bill that would require the state Department of Health to either approve or deny a permit application for a nonresidential on-site sewage system within 45 days, according to a news release (Howey Politics Indiana). Residential septic system permits are handled by county health departments, which must either approve or deny applications within 45 days. Nonresidential sewage applications must go through the state, but a response is not required within 45 days. This bill would also clearly define nonresidential sewage systems. House Bill 1408 now advances to the full House for further consideration.

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Bill would forgive YMCA taxes

State Rep. Greg Beumer has filed a bill to forgive thousands of dollars in delinquent property taxes and penalties owed by the local YMCA to Randolph County (Slabaugh, Muncie Star Press). "I'm trying to follow the rules," said the county assessor, Beverly Fields. "The state doesn't allow me to do otherwise." The YMCA, a non-profit organization, failed to file an application for property tax exemption after acquiring Camp Yale, an outdoor team-building and leadership-development center on a 30-acre wooded recreational park south of Winchester in White River Township. "Through an innocent error, the county did not receive the proper paperwork," said Beumer, R-Modoc. "The YMCA is really embarrassed by the entire situation. You can appreciate it's a significant amount of money for any non-profit, and it certainly is for the YMCA."

Adoption bill proposed

Information from the House Republican Caucus indicated the House Committee on Courts and Criminal Code advanced State Rep. Julie Olthoff's (R-Crown Point) proposal that would connect birth parents in Indiana with Hoosier adoption experts. This legislation could help Hoosier agencies better connect with local birth parents by making it clear that only Indiana licensed attorneys or child placement agencies can advertise within the state's boarders. It would also penalize out-of-state agencies for advertising within in Indiana. The bill also increases the penalty for adoption advertising without being licensed to a Level 6 felony, up from a Class A misdemeanor. The bill now moves to the full House for further discussion.

Bill would limit class action suits

The chairman of a legislative committee that deals with the Indiana Bureau of Motor Vehicles is seeking to limit the fees class-action attorneys receive when they sue the state (Cook, IndyStar). The move comes after a pair of class-action lawsuits that exposed massive overcharges at the BMV, resulting in nearly \$60 million in refunds to millions of Hoosiers and more than \$15 million in attorneys fees for the Downtown law firm that represented motorists. Now, House Road and Transportation Committee Chairman Ed Soliday wants to restrict how such attorneys fees are calculated - a move critics say could come across as revenge. Opponents worry that the measure could make cases such as the BMV lawsuit less appealing for lawyers.

Indy bar to host legislators

Hear an update on pending legislation and get to know Indiana legislators at the IndyBar's 11th annual gathering of the bar and Indiana lawyer legislators, hosted by the bar's Legislative Committee (Indiana Lawyer). Attorneys who are state senators and representatives will lead a lively discussion during the luncheon on Wednesday, Feb. 15 from 11:30 a.m. to 1 p.m. at the Skyline Club. A

panel of distinguished lawyer-legislators including Speaker Brian Bosma; Representatives Ed DeLaney, Matt Pierce, and John Young; President Pro Tempore David Long; and Senators Elizabeth Brown Mike Delph, Aaron Freeman, Susan Glick, Brandt Hershman, Luke Kenley, Eric Koch, Tim Lanane and Karen Tallian will be in attendance, with additional legislators anticipated as well. The luncheon will include 1 hour of General CLE credit.

State revenues down \$500k in January

Indiana Governor Eric J. Holcomb and State Budget Director Jason Dudich on Wednesday released the monthly revenue report for January 2017 (Howey Politics Indiana).

"This report shows our state's revenue outlook is in line with expectations, which is good news for Indiana lawmakers as they work through this budget session of the Indiana General Assembly," said Holcomb.

General Fund revenues for January totaled \$1,502.2 million, which is within \$0.5 million (0.03 percent) of estimates based on the December 15, 2016 forecast and \$58.5 million (4.1 percent) above revenues in January 2016. Year to date, General Fund revenues are \$217.5 million (2.6 percent) above collections through the same time period in 2016. The governor's office provided the following summary:

General Fund revenues for January totaled \$1,502.2 million, which is \$0.5 million (0.03 percent) less than estimate based on the December 15, 2016 forecast but \$58.5 million (4.1 percent) above revenue in January 2016.

Sales tax collections totaled \$731.9 million for January, which is \$25.8 million (3.7 percent) above the monthly estimate and \$32.2 million (4.6 percent) above revenue in January 2016.

Individual income tax collections totaled \$683.6 million for January, which is \$19.5 million (2.8 percent) below the monthly estimate but \$54.2 million (8.6 percent) above revenue in January 2016.

Corporate tax collections totaled negative \$1.5 million for January, which is \$7.0 million (128.3 percent) below the monthly estimate and \$27.7 million (105.9 percent) below revenue in January 2016.

Riverboat wagering collections totaled \$28.4 million for January, which is \$0.7 million (2.3 percent) below the monthly estimate but \$0.4 million (1.5 percent) above revenue in January 2016.

Racino wagering collections totaled \$8.9 million for January, which is \$0.2 million (1.8 percent) above the monthly estimate and \$0.9 million (11.9 percent) above revenue in January 2016. ❖

The smug Clinton campaign blew it

By SHAW FRIEDMAN

LaPORTE – While President Trump disturbingly talked about “carnage in the streets” in his downbeat and apocalyptic inaugural address, we Democrats are still trying to come to grips with the “carnage” inflicted electorally by his stunning victory. The shocking win had massive down-ballot effects around the country including right here in Indiana, where our outstanding governor candidate John Gregg was literally drowned in the Trump tsunami.



As our rigorous self-examination continues to play out in the weeks and months ahead, it still pays to look back and try to gain some lessons on how this kind of rout could be avoided in the future.

While many white, blue-collar voters who supported Trump will soon feel a sense of betrayal as so many of the promises made to them look fleeting and false in light of the array of billionaires and bankers appointed to the Trump cabinet and the reversals we’ve already seen on pledges to go after Big Pharma or holding Wall Street’s feet to the fire, it’s worthwhile to do a reality check on the massive miscalculation and mistakes made by the Clinton brain trust in losing three states (Michigan, Wisconsin and Pennsylvania) that were long felt to be part of the “Blue Wall” that should have held firm.

What emerges from various media accounts was a campaign leadership so smug, so self-satisfied and elitist and removed from real life needs on the ground that it boggles the minds of those of us who have been involved in campaigns for many decades.

An elite, young, techno-savvy group in Brooklyn became so enamored with their models and analytics that they purposely and intentionally disregarded the pleas of campaign veterans on the ground in places like Michigan who saw this campaign getting away from them.

Politico ran a great story in December detailing how the Clinton brain trust, headed by wunderkind Robby Mook and others, became so consumed with a “one-size-fits-all approach drawn entirely from pre-selected data,” with operatives continually citing ‘the model, the model’ that guided every decision on field, television and everything else.

Even though Bernie Sanders had surprised the Clinton campaign by winning the Michigan primary, the young techno geeks running the campaign kept thinking they knew more about appealing to working class voters in Michigan than seasoned union operatives who had fought

and won campaigns in that state for decades, by traditional get-out-the-vote methods that meant putting dollars into a reasonable ground game.

Requests for surrogates to Brooklyn continually went unanswered and somehow even though \$800 million was raised and spent by the Clinton campaign, there were few dollars giving to field organizers to help gin up activity in the African American community in places like Detroit, where turnout notably lagged on election day.

“It was very surgical and corporate. They had their model, this is how they’re going to do it. Their thing was, ‘we don’t have to leave literature at the door, everyone knows who Hillary Clinton is’ said one Michigan campaign veteran.

Politico’s story made clear that Brooklyn, that tony, fashionable headquarters of the Clinton campaign, overrode local activists time and again claiming that TV, limited direct mail and digital efforts were the only way to win over voters. Hard to believe, but the Clinton campaign actually gave up on “persuasion” and claimed to focus on get-out-the-vote, while giving no compelling economic message or resources to help gin up votes among either African Americans or Millennials.

Pure arrogance and hubris characterized the Clinton brain trust. It turns out they didn’t even solicit Bernie Sanders’ help in thinking through and winning in states like Michigan or Wisconsin or anywhere else where he had run very strongly. It also takes dollars and commitment to gin up turnout in the cities, and turnout in places like Detroit was down considerably, because the investment wasn’t made there.

Folks in Brooklyn were so confident and cocky about winning, based on their data and analytics, that in one of the campaign war rooms, they began celebratory drinking by afternoon on election day and calls were going out to tell others to join transition teams. Thousands of campaign dollars were actually invested in buying little make-believe glass shards that were to rain down from the Brooklyn Naval Yards ceiling at a victory celebration that night!

Roland Martin, one of the most astute observers of politics, had literally begged the Clinton team of campaign operatives a month before the election to “get your heads out of your algorithms and PDA’s and counter intensity with intensity.”

Three key states were lost by a total of less than 100,000 votes and the course of history was forever changed. The upshot is that we had better learn not to be so dependent on analytics and algorithms and listen instead to veterans on the ground who understand what it truly takes to energize our base and get out the vote. As Roland Martin put so well as he chided the young, overconfident staffers running the Clinton effort, it’s more than data. It’s about intensity and a compelling message delivered on the ground, door to door.

This real “carnage” that we’ve seen the past two weeks constituting the start of the Trump presidency sim-

ply did NOT have to happen. ❖

Shaw Friedman is a longtime HPI columnist who

served as counsel to the Indiana Democratic Party from 1999 to 2004.

A partisan debate

By **JACK COLWELL**

SOUTH BEND – Ralph the Republican arrived first at the breakfast place where he and Donald the Democrat meet almost every weekday morning to sip coffee and argue politics. Each enjoys irritating the other, all in fun, of course – sort of.

Ralph has been getting there first most times since the election, always eager to talk politics. Donald? Less eager, preferring lately to discuss sports or the weather. But



Donald smiled as he walked purposefully rather than reluctantly to their usual table.

D: Hi, Ralphie. Suppose you heard all the controversy over what Trump's done now. Ready to concede the guy's crazy? Got here an article about whether he suffers from something called malignant narcissism.

R: So, now you're a shrink? Since Trump's doin' what he said he'd do, you

Democrats claim he must be nuts. Guess keepin' campaign promises sounds nuts to you.

D: Hey, even you guys didn't think he'd do some of this stuff. You said Mike Pence, our former terrible governor, would keep him under control. Then he does things to stir protests all over the country.

R: Yeah, Donnie, protests by people who still won't accept he's our president. Like you. You never call him "President Trump." It's just "Trump." Show some respect.

D: Gee, Ralphie, I remember when you wouldn't call Obama president. Even agreed with Trump that President Obama wasn't born in America. Wasn't even president. Never showed respect for him.

R: That was different. Obama didn't deserve respect. I couldn't even watch him on TV. Had to change channels when he came on.

D: Well, I can't watch Trump. Couldn't stand to watch the inauguration. He's gonna be impeached.

R: Impeached? Gonna be President Donald J. Trump for eight years.

D: Not with his Muslim ban. Unconstitutional. Threatening Mexico over his silly wall. All the stuff with Russia and Putin. Undermines NATO. Conflicts of interest.

Protests gonna grow.

R: Yeah, well I bet lots of those protesters didn't even vote. They knew what Trump promised. But lots of your Democrats in important states didn't care. Got a niece in college who's all mad about Trump keepin' his promises. But she didn't vote for Hillary because she said they were mean to Bernie. Kinda late for her to protest now.

D: Hey, did anybody think Trump would issue all those executive orders? Get rid of environmental protections. Promote coal and oil pipelines and guns. Let businesses do as they please.

R: Yep. That's what he said he'd do. That's what Middle America wanted. His base is even stronger because he's doin' just that.

D: Hold on, Ralphie. Didn't you guys criticize Obama for executive orders? Said he was tryin' to be a dictator. He never issued anything like the flurry of executive orders already from Trump.

R: That was different. Obama issued orders against coal and pipelines and businesses. Pretended he'd prevent so-called climate change. Pathetic. For losers. Not what we want.

D: Trump can't even admit, despite the photos, that his inauguration crowd was a lot smaller than Obama's. He won't admit Russian hackers and Putin got him elected.

R: You guys won't admit that Trump won, Hillary lost. You spread fake news to pretend she won.

D: Trump's the fake. Sayin' his family's got no conflict of interest.

Just then, Susie, their usual waitress, came by with more coffee.

R: Hey, Susie, you see that new poll showin' solid Republican support for our president's ban on Muslim terrorists?

D: Yeah, Susie, it also shows solid Democratic opposition to an unconstitutional religious test that hurts the innocent, helps the terrorist cause.

S: So, what's new. You guys are as split as the country. Just think of your waitress before you two storm out again and forget my tip. No use, I guess, to ask you to think big.

R&D: Think big?

S: Yeah, about the country. ❖

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

The Indiana Name Change Commission

By **MORTON MARCUS**

INDIANAPOLIS – I wasn't there, but I hear, and that's good enough to pass as truth these days, the Indiana Place Name Change Commission (IPNCC) met last week and submitted its recommendations to the General Assembly.



The IPNCC wants the Sage Solons either to change the names or eliminate the places now called LaPorte, Pulaski, Versailles, Rome City, Mexico, Chili, Montezuma, Peru, Brazil, Lafayette and too many others to mention here.

At the same time, a jolly group wants to bring the joys of gaming to High Ground (currently known as Terre Haute). The State Commission on Emotional Health (SCEH) reports gaming already has people grinning with limitless glee in Hammond, East Chicago, Gary, Michigan City, Evansville, Elizabeth and Lawrenceburg.

Less ecstasy is to be found in Anderson and Shelbyville, where gaming at racinos is temporarily more restricted than in the aforementioned places. Not morose, but quaking with anticipation are folks where name changes will rid them of the stigma of alien association (French Lick and Florence).

That leaves only Rising Sun in need of therapy at this time. The partisans of High Ground propose relocating about half of their magical wealth redistribution mechanisms from the banks of the Ohio River to the banks of the Wabash. This move, they explain, would not expand gaming in the state, since it is not the number of locations, but the number of machines which we should consider. An alternative logic suited to our times.

In addition, a gaming venue in High

Ground, close to Indiana State University, would assist in the teaching of statistics, studies of addiction and the exploitation of the poor. A further benefit for the High Ground site is the ability to draw from the vast population of ignorant people in Illinois, who would cross into Indiana for the opportunity to lose their paychecks and deplete their savings, thereby restricting their opportunities and the prospects of their children.

Legislators must approve this innovative means of increasing the Hoosier tax base. With the exception of our Orange County location (I will not use the more familiar name again; it should be changed to Salt Lick or Deer Lick), all of our casinos (not to be confused with our racinos) are located to maximize attendance from our neighboring states.

Which raises the question: Why not ring our state with taxable resources of this sort? Angola, Fort Wayne, Portland, Richmond, Princeton, Tell City all deserve the opportunity to host alien contributors to making Indiana greater still.

These decisions should not depend on the paternalism of the General Assembly. The good souls of Logansport, Morgantown, Jasper and Crothersville should have the right to allow benign private sector investments in their communities without state intervention.

If things continue the way they have, there will be state regulation of bowling alleys and pool parlors. Will Prof. Harold Hill return to restore our morals? ❖

Mr. Marcus is an economist, writer, and speaker who may be reached at mortonjmarcus@yahoo.com.

Photography With Punch
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Mayor Snyder shouldn't resign

By **RICH JAMES**

MERRILLVILLE – I've never had any great love for Portage Mayor James Snyder. He didn't level with me when he first ran for mayor against incumbent Olga Velasquez.



Snyder won, in part because of the misinformation he spread about the police department, leading some to fear for their lives.

During the campaign, Snyder said he would consider keeping police Chief Mark Becker and would give him an interview. He never did.

Becker was a retired FBI agent when hired by Velasquez. He was about the best any city could

hire as a police chief.

Portage hired Becker after Gary Mayor Karen Freeman-Wilson refused to do so. That probably is the biggest mistake she has made since becoming mayor.

Gary's crime problem is legendary. Becker knew

Gary better than any because of his experience heading the Gary Response Investigative Team while still with the FBI.

Freeman-Wilson said her police chief had to be a Gary resident. Becker was not.

Since her refusal to hire Becker, Gary has gone through a host of police chiefs.

Back to Snyder, who is under federal indictment for fraud. Now, I have to defend Snyder.

The City Council, which is Democratic, wants Snyder, who is Republican, to resign from office because of the pall hanging over the city because of the federal indictment.

Snyder is refusing, and I don't blame him for not stepping down. While the U.S. attorney's office has an excellent conviction record – largely because it doesn't indict iffy cases – they don't win them all.

While the feds think Snyder is guilty, the mayor thinks he is innocent. Besides, whatever happened to that innocent until proven guilty thing?

So, he ought to stay. ❖

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.

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Marc Chase, NWI Times: Strong vision and hard, efficient work are the stuff of community growth and success — the qualities of solid leaders. But those qualities can't elevate leaders, regardless of their past successes, beyond the specter of a felony indictment alleging personal enrichment and abuse of public trust. Innocent or guilty, and he'll get his day in court at some point, Portage Mayor James Snyder is learning this social and legal truth the hard way. The stifling stranglehold such accusations place on a leader continue to multiply in their effect on Snyder's ability to lead. They will continue to do so until and unless he resigns or is exonerated of felonious wrongdoing. It's a painful truth for many in Portage, and elsewhere in the Region, to consider given Snyder's many successes at the helm of the city's executive office. Much of what we see in Portage is due, at least in part, to the strong vision of Mayor Snyder. A desire to continue that vision is a major reason why Snyder says he won't resign office in the wake of the federal felony bribery indictment he faces. Federal prosecutors allege he solicited self-enrichment through bribes paid by city towing contractors. Snyder also is accused of tax evasion. Snyder continued to contend his innocence Friday when I met him for a tour of the city and an interview in his office. Innocent or not — and I'm neither prosecutor nor judge — I've contended in the past that the shadow of the federal accusations are too great a distraction to city business. I've argued, as has The Times Editorial Board, that Snyder should step down and focus on his legal defense. ❖



Jon Webb, Evansville Courier & Press: Let us quote from Sen. Todd Young's campaign website: "An unelected bureaucrat in Washington is in no way more prepared to make education decisions than local and state governments." Apparently Young has exceptions to that rule: mainly politics and money. Young voted to confirm Betsy DeVos as Secretary of Education on Tuesday. Young's vote, like that of several Republican senators, was crucial. DeVos, who doesn't recognize any of the faces on her money, only escaped the Senate by one vote: a vote cast by none other than Michael "Snakebite" Pence. Young said yes to DeVos, who never spells "education" correctly on the first try, for several reasons, likely. Here is a statement a Young spokesperson issued to the Courier & Press Tuesday afternoon. "I voted for Betsy DeVos because she has devoted her life to the field of education. She has an unwavering belief that parents should be in charge of making choices about their child's education," the statement reads. "I look forward to working with Ms. DeVos following her swearing in as Secretary of Education." To break that down: DeVos ... has devoted her life to the field of education. Indeed she has. Of course that devotion mostly involved charter school groups and Super PACs. She has never worked in public education. Neither did her children attend such schools. But she has advocated — and

donated millions of dollars — to channel taxpayer money away from public schools and toward vouchers for folks to send their kids to private and/or religious schools. Also, if you watch roughly half-a-second of her confirmation hearing, you'll see DeVos — who once went to a zoo's polar bear exhibit and screamed "Look! A grizzly!" — knows very little about education. She's clueless about student loans, doesn't understand the difference between proficiency and growth, and didn't realize that the Individuals with Disabilities Act was a federal law. She has an unwavering belief that parents should be in charge of making choices about their child's education. That's true. But if public schools don't exist, what choice do you really have? I look forward to working with Ms. DeVos. Young has already worked with DeVos. According to multiple media reports, including the Indianapolis Star, DeVos has contributed at least \$48,000 to Young's campaigns. Because of that, teacher unions recently asked the senator to recuse himself from the confirmation vote. Young declined, arguing it was unnecessary because several Senators received campaign funds from DeVos. ❖

Michael Gerson, Washington Post: Stepping back, cooling off a bit, displaying some strategic patience, taking the long view: The first two weeks of the Trump administration have been the most abso-friggin-lutely frightening of the modern presidency. President Trump has managed to taunt and alienate some of our closest allies — Mexico and Australia (!) — while continuing an NC-17-rated love fest with Russia. He has engaged in moral equivalence that places America on the level of Vladimir Putin's bloody dictatorship. "Well, you think our country's so innocent?" he said — a statement of such obscenity that it would haunt any liberal to the grave. He has issued an immigration executive order of unparalleled incompetence and cruelty, further victimizing refugees who are already fate's punching bag. He has lied about things large (election fraud) and small (inaugural crowd size), refused to allow facts to modify his claims, and attempted to create his own reality through the repetition of deception. He has abused his standing as president to attack individuals, from a respected judge to the movie star who took over his God-awful reality-TV show. He has demonstrated a limitless appetite for organizational chaos and selected a staff that leaks like a salad spinner. He has become a massively polarizing figure within the United States and a risible figure on the global stage. All in a fortnight. Republicans are on the horns of a bull in a china shop. Perceptive leaders can see their party eventually physically reduced and morally diminished to a fanatical ethno-nationalist core. But opposing Trump in public risks Twitter attacks and primary challenges. In Trump's amoral, counterpunching ethic, even the mildest criticisms can result in massive retaliation. Trump has already succeeded in creating an atmosphere of intimidation in Washington. ❖

Gorsuch critical of Trump remarks

WASHINGTON — President Trump's escalating attacks on the judicial branch drew denunciation Wednesday from his Supreme Court nominee, Neil Gorsuch, who told lawmakers that the attacks were "demoralizing" and "disheartening" to the independence of the federal courts (Washington Post). "He certainly expressed to me that he is disheartened by the demoralizing and abhorrent comments made by President Trump about the judiciary," Sen. Richard Blumenthal (D-Conn.) told reporters after meeting privately with Gorsuch. Gorsuch's comments to Blumenthal were confirmed by Ron Bonjean, a member of the judge's "sherpa" team, a group of aides tasked with helping him navigate the confirmation process. Earlier in the day, Trump continued his days-long crusade against the judicial branch, after a Seattle judge halted his controversial executive order barring immigration from seven predominantly Muslim countries.

4 Indiana cities vulnerable in trade

WASHINGTON — Over half the economy of Columbus is driven by exports, making it the U.S. city most vulnerable to changes in national trade policy, according to a study released by the Brookings Institute. Three other Hoosier cities are in the top ten most likely to suffer in a trade war, the data indicated. More than a third of the economies in Elkhart and Kokomo are export driven, while Lafayette's exports account for 30.9% of GDP. The report estimated 15,500 jobs in Columbus are supported by exports. That number for the other Indiana cities is Elkhart, 30,300; Kokomo, 7,700; and, Lafayette, 18,000. "President Trump's campaign to remake the

nation's global trade relationships will not be a remote or academic affair - it will have real implications for regional economies," the report stated. "And while the benefits or disruptions of change will affect some places more than others, all of America - big-city metro and small-town or rural; red and blue; coastal or in-between - has a stake in what happens."

Senate confirms Sessions for AG

WASHINGTON

— A sharply divided Senate confirmed President Trump's nominee for attorney general Wednesday, capping an ugly partisan fight and revealing how deep the discord

has grown between Republicans and Democrats at the dawn of Trump's presidency (Washington Post). The day after an unusually tense conflict on the Senate floor, the chamber voted 52 to 47 on Wednesday evening to clear Sen. Jeff Sessions (R-Ala.), whose record on civil and voting rights as a federal prosecutor and state attorney general has long been criticized. Sessions won confirmation almost exclusively along party lines. Sen. Joe Manchin III (W.Va.) was the only Democrat who supported him, and no Republican voted against him. Sessions voted present.

Hupfer blasts Donnelly over vote

INDIANAPOLIS — Indiana

Republican Party State Chairman Kyle Hupfer issued this statement in response to recent votes cast by Senator Joe Donnelly (D-IN) in opposition to President Donald Trump's Cabinet nominees: "Senator Joe Donnelly didn't vote against a single Barack Obama Cabinet nominee - a candidate who lost Indiana - but he's found it necessary to oppose nominees put forth by President Donald Trump - a candidate who overwhelmingly won the Hoosier State. Twice in a period of just over twenty-four hours, Sena-

tor Donnelly disregarded the will of Hoosier voters and embraced the far-left liberal ideology of his boss, Chuck Schumer, in his votes against Betsy DeVos and Jeff Sessions. Hoosiers made their voices loud and clear last November, and it's time Senator Donnelly stood with us and not his friends in Washington, D.C."

Anthem/Cigna deal blocked

WASHINGTON — A federal

judge blocked the \$54 billion merger between health insurance giants Anthem and Cigna on Wednesday, saying the deal would increase prices and reduce competition. "The evidence has also shown that the merger is likely to result in higher prices, and that it will have other anticompetitive effects: it will eliminate the two firms' vigorous competition against each other for national accounts, reduce the number of national carriers available to respond to solicitations in the future, and diminish the prospects for innovation in the market," U.S. District Judge Amy Berman Jackson wrote in a 12-page order.

Richmond HR director cleared

INDIANAPOLIS — An Indiana

State Police investigator has found no wrongdoing by Richmond's former human resources director, who has admitted to being the victim of a scam (Emery, Richmond Palladium-Item). Sgt. John Bowling, the public information officer for ISP's Pendleton Post, said Sue Roberson was investigated by the agency's Special Investigations Unit last fall. "As it turns out, the assigned investigator found no wrongdoing and did not submit a case to (the Wayne County Prosecutor's Office)," Bowling said.

