



HPI Poll: Pence still strong with GOP

Job approval still above 70% as primary challenge talk swirls

By **BRIAN A. HOWEY**

INDIANAPOLIS – Gov. Mike Pence has a plethora of political and policy problems to deal with, but a Republican gubernatorial primary isn't likely to be one of them.

Since the fallout of the Religious Freedom Restoration Act, the spinning rumor mill has centered on outgoing Angie's List CEO Bill Oesterle and Indianapolis Mayor Greg Ballard as potential primary challengers to the embattled governor. But cross tabulations in the April 12-14 Howey Politics Indiana Poll (607 registered, +/-4.0) reveal that a legitimate primary challenge to Pence would likely be a fool's errand.

The one ticking time bomb that could change that



would be the Scott and Jackson County HIV epidemic that continues to grow.

Among Republicans overall, 74% approve of Gov. Pence's job performance compared to 17% who disapprove. Among Republican men, it stands at 84/10% and among Republican women, it is at 70/16%. Certainly, an incumbent governor would rather see those numbers in the 90th percentile, but with three-quarters backing his job performance, that is hardly enough to sustain a legitimate primary challenge.

After the HPI Poll was published, Pence

Continued on page 3

Our next U.S. senator

By **CRAIG DUNN**

KOKOMO – With age comes understanding, so they say. With the passing of time we all should be just a little wiser every day. And so it should be when it comes to government and politics. Here we are staring the 2016



United States Senate race in the face and I wonder if we will use our accumulated wisdom in selecting our next Republican Senate candidate. I sure hope so. In my opinion it is vitally important for our next Republican Senate candidate to be able to master four critical skills.

First, a successful Senate candidate will need to be able to run an effective statewide campaign. By statewide,



“No, I’m not. Nope, nope, nope. Got my head down on my business. Nothing more to say.”

- Purdue President Mitch Daniels, denying any interest in running for governor in 2016, to Dave Bangert of the Lafayette Journal & Courier



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I mean statewide, as in from Mount Vernon to Lawrenceberg, Angola to Hammond, and all points in between. The successful candidate will gain critical insight on Indiana's unique time zones and the Hoosiers who inhabit them. Running a statewide campaign sounds like fun until you ponder the reality of a Lincoln Day dinner in Lake County on a Monday evening followed by shaking hands the next morning at a breakfast in Morgan County. You put a lot of ugly miles on both your vehicle and your body.

A successful statewide campaign will require dump trucks loaded with cash in order to help spread the message throughout the hills and hollers of Beanblossom, the cornfields of Newton County and the working class neighborhoods of Kokomo. The trick, as always, will be amassing copious amounts of cash without losing your political soul in the process. Primary season is always a time for well-heeled people to look over the field of candidates like a tout at the horse track and lay their money down on the candidate who may offer the best return on investment. It will be essential for our Republican Senate candidate to garner the necessary funds to win the election and not become so beholden to the financial interests that when elected, forget that they represent all Hoosiers.

The second skill that our successful United States Senate candidate will need to achieve is the ability to deliver a popular message that will win votes in the primary but not lose the election in November. It is not my intent nor my job to tell any prospective candidate what their message ought to be, but like most political writers, I'm not bashful about sharing my opinion.

I **believe that the** message that the vast majority of voters in Indiana want to hear hits on these points:

Indiana is a great state because we are a hardworking and responsible group of people who get up in the morning, go to work, make useful things and provide useful services,

pay a reasonable, but not excessive amount of tax on our income, go home to our loved ones each evening and treat everyone with respect. We believe that we hold the power to find solutions to problems facing us and that government "help" is a last resort. We believe that we need to focus on restoring and expanding the middle class, providing better education for our children and fostering an economic environment to give everyone an opportunity for financial success.

We need a sound and strong national defense to protect our freedom and way of life and, yet we shouldn't poke our nose and money in places that mean nothing to our country. Finally, as hard as we try, we know there will always be people in our society who fall off the grid and need the support of their government. Whether they are hungry, physically impaired, mentally ill or suffer from diseases and addictions that plague our nation, we should always be willing to offer support.

Of course, with limited financial resources, we need to examine and allocate every dime of taxpayer money in as wise and efficient manner as possible. The future can change for the better if we are willing to change our tired old ways of running government.

The third skill a successful Republican Senate candidate will need to master is working four or five days a week in the snake pit of Washington, D.C., surrounded by wine, women and song, being told you're brilliant and handsome and being plied with every sort of toadying that can be offered up by the most talented of K Street lobbyists, without forgetting that the good folks of Indiana sent you to the Senate to do a job. Don't ever forget your roots.

Finally, a good Republican senator will have the skill to adapt to a variety of environments. In the minority, they will look to forge bi-partisan agreements on important issues. They will try and be constructive, even when the majority party abuses the process. When in the majority, they

will still look for opportunities to work with members of the Democrat Party on issues that are important to Hoosiers. If they must work with a Democrat president, they will be respectful and look for common ground on critical issues. However, they will also carry a Constitution in their back pocket and defend it against all enemies, foreign and domestic.

As we begin the long and difficult process of selecting our Republican candidate for United States Sen-

ate, I intend to take my time, listen to each of the candidates and then support and vote for the person who will best serve the people of Indiana.

Let the games begin! ❖

Dunn is chairman of the Howard County Republican Party.

Pence GOP, from page 1

told WISH-TV at a school event, "We'll let politics take care of itself in the future but for now my focus is jobs and schools and seeing those bright and shining faces here."

Gov. Pence told the Brazil Times after he gave the Clay County Lincoln dinner address last Thursday that a reelection bid will be a "family decision." On a potential presidential race, Pence brushed that question aside. Several informed and reliable Republican sources say Pence has been personally pained by the reaction to his actions during the RFRA episode, particularly charges that he is a "bigot."

Many believed his first term as governor was designed to position him for a slot on the 2016 presidential ticket, and the developing consensus is that both presidential and veep spots are off the table after his performance on ABC's "This Week" on March 29. Several influential Republicans HPI has talked with have wondered if Pence has the stomach for a second term. HPI believes he will seek a second term.

He sits on a \$5 million and growing war chest. He was well received by capacity crowds in Clay and Clark counties since the RFRA "fix" was signed. A big gut check will come when he addresses the Marion County Republican Lincoln dinner on April 30, a day after the General Assembly sine die. With much of his legislative agenda intact (See Matt Butler's analysis on Pages 7-8), Pence will find some rejuvenation in being able to declare this session a "success" despite the RFRA debacle. Having said that, Pence's political team has heard loud and clear from party officials and

campaign donors that the RFRA episode was a disaster.

There were reports that Vigo and Porter counties had canceled Lincoln dinners. Vigo County Republican Chairman Randy Gentry told Howey Politics Indiana that he didn't cancel his annual Lincoln dinner. He just hasn't scheduled it yet. "I did tell the state party that the environment wasn't good right now and I would schedule one later. I typically schedule mid-August, so this is not new for us. I like back-to-school time to get folks fired up for the fall stretch. Most of our races are in the fall."

Pence was slated to speak April 9 at the Porter County Lincoln Day. He canceled his appearance in conjunction with local party leaders, Porter County GOP officials told the NWI Times. Porter County GOP Chair Mike Simpson said because of the short amount of time to find a new speaker, the event will be rescheduled. "Now doesn't seem to be the time for Republicans to be gathering for any purpose other than to discuss how to more proactively convey that we are an inclusive and non-discriminatory party," Simpson said in a statement that reveals the inner divisions within the GOP that RFRA has exposed.

This is not to say that Pence doesn't have his work cut out for him in a 2016 general election. Among independent voters who will ultimately decide that election, Pence's standing is a mediocre 36% approve and 51% disapprove. Among independent women, he stands at 36/49% and among independent men 35/54%. Among evangelical Christians, Pence's approval

stands at a surprisingly low 59%, suggesting that the signing the RFRA "fix" has cost him with a key part of his base, while in the doughnut counties surrounding Indianapolis, it stands at 50/43%, which are other troubling signs for a



Gov. Mike Pence speaks before the Clay County Lincoln Day dinner at Center Point last Thursday to a capacity 200 person crowd. (Brazil Times Photo)

general election campaign.

In some of the most conservative areas of the state, Gov. Pence has his work cut out. In the 3rd CD his approval stands at 51%; in the 4th it is 47%, in the 5th it is 39% and in the 9th it is 37%. The 3rd, 4th and 5th CDs are some of the most conservative CDs in the nation.

In the RFRA dust, it was Oesterle who grabbed headlines, resigning from his CEO position and saying he planned to become "civically involved." In interviews with Howey Politics Indiana and the IndyStar's Matt Tully, Oesterle threw Purdue President Mitch Daniels into the mix. He told HPI last week, "I would love to see Mitch take another run and be governor again, but it's a virtual impossibility he would run against Pence."

Tully wrote on Tuesday: Oesterle confirmed talk that he is aggressively pushing the idea of another run for governor by Daniels, perhaps as soon as next year. He hadn't discussed the idea with Daniels, now Purdue University's president, and said, "I'm just spouting off about it. What else can I do? I find it works better that way. If I actually discuss it with him, he can tell me to stop."

Later that day, Daniels put a quick end to it, although in similar fashion to his admonishment of the press in 2010-11 when talk of a presidential campaign repeatedly surfaced (and he was actually plotting a campaign). Daniels told the Lafayette Journal & Courier's Dave Bangert, "No, I'm not. Nope, nope, nope, nope. Got my head down on my business. Nothing more to say." Daniels insisted that his only priorities are the "black and gold." The logistics of a sitting university president and avowed political celibate running simply don't make sense.

The other name floating around is Ballard. But that one doesn't have legs either. Ballard donated \$400,000 of his leftover war chest to presumed Republican nominee Chuck Brewer. Influential Republican sources describe Ballard prior to his announcement he wouldn't seek reelection as "beaten down" but he since has regained some spring in his step, despite the City-County Council's override of his public safety veto on Monday.

While former Sen. Dick Lugar used the Indianapolis mayoral office as a springboard for the rest of his career, other long-term mayors haven't been so fortunate. Exhibit A was legendary Indianapolis Mayor Bill Hudnut's unsuccessful 1990 secretary of state race against Joe Hogsett. Ballard would almost certainly find that in out-state Indiana, a big city mayor would be met with skepticism.

As for the 2016 general election, Indiana Democrats have

much to shake out. John Gregg is still mulling and obviously awaiting the sine die of the General Assembly to make a final decision. Gregg told WTHI-TV in Terre Haute that he's only "considering" and he noted "time is ticking down" for a decision. "Karen Tallian, a state senator, Scott Pelath, a member of the Indiana House, and there are some other folks that I think are discussing it, just not publicly," Gregg said.

Democratic sources tell Howey Politics that Pelath said he would reconsider the race, but has not publicly commented on his deliberations. Former Indianapolis mayor Bart Peterson's name continues to be a wistful hope for some Democrats, though Peterson and top political and business allies continue to deflect any notion that he will return to politics.

Pence's problem with female voters

In the warm sunny days of late September 2012, Mike Pence was on a roll.

In a Howey/DePauw Indiana Battleground Poll taken between Sept. 19-23, 2012 the Republican gubernatorial nominee appeared to be on his way to what many had expected, a landslide victory over Democrat John Gregg. He was leading Gregg 47-34% with Libertarian Rupert Boneham sitting at 5%. Among female voters, Pence was leading 46-33%.

And then came the day of political infamy, Oct. 23, 2012, when Republican U.S. Senate nominee Richard Mourdock not only self-immolated with his debate comments on rape, but in the following days it started a chain reaction that impacted Pence's political career. Pence initially called on Mourdock to apologize for his remarks, and then a few days later rallied around the embattled Indiana treasurer at campaign rallies and in TV interviews.

The impact was stunning. Not only did Pence limp over the finish line with just 49% of the vote and a victory margin of just a paltry 2.5%, but the events gashed Pence's support among women voters. In the Oct. 24-26 Howey/DePauw Poll, Pence found himself tied with Gregg among women, 42-42%. And when the dust settled on Election Day, Pence lost the female vote 52-47%. It was a stunning erosion of 18% in just five weeks. And it wasn't as if the Gregg campaign pushed the issue with TV advertising in the final six weeks, as the Indiana governor race was obscured by what would be a \$50 million Senate



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Mourdock impact on Pence, Romney



Pence lost 18% of female support between September Howey/DePauw poll and Election Day; Romney went from surge Oct. 15 to defeat

By BRIAN A. HOWEY
INDIANAPOLIS – On Oct. 15 a USA Today poll conducted by Gallup made waves when the story line was that Republican presidential nominee Mitt Romney had made significant gains among women voters. Romney had dented up to a 4% lead over President Obama, and the USA Today report said, "He has growing enthusiasm among women to thank. As the presidential campaign heads into its final weeks, the survey of voters in 12 crucial swing states finds female voters much more

engaged in the election and increasingly concerned about the deficit and debt issues that favor Romney. The Republican nominee has pulled within one point of the president among women who are likely voters, 49%-48%, and leads by eight points among men. The battle for women, which was apparent in the speakers spotlighted at both political conventions this summer, is likely to help define messages the candidates deliver at the presidential debate Tuesday night and in the TV ads they air during the final 21 days of the campaign."

And USA Today made this fateful observation: "As a group, women tend to start paying attention to election contests later and remain more open to persuasion by the candidates, and their ads."
Three weeks later, Obama had won a second term, carrying all the swing states save North Carolina. He did so, as ABC News described on Nov. 6, with a "coalition of

Continued on page 3

Walorski barely hangs on

By JACK COLWELL
SOUTH BEND – Jackie Walorski, the Republican elected to Congress in Indiana's 2nd District, would have lost if she had been running in the same 2nd in which she fell just short two years ago.

The new district boundaries were drawn in Republican-controlled redistricting after the 2010 Census. The new 2nd was referred to by the GOP map makers as "Jackie's district." And it was. More narrowly so than the Republican strategists expected. But with



"We should not hold the middle class hostage while we debate tax cuts for the wealthy. More voters agreed with me on this issue than voted for me."

President Obama

showdown that sucked the oxygen away from the gubernatorial and other races.

Bellwether Research pollster Christine Matthews told Howey Politics in its Nov. 15, 2012, edition, "I wasn't expecting him to lose women by the 47%-52% he did and I think there was definitely a 'Mourdock' impact on his race."

This was not lost on Pence or his political team. Pence had always had gender awareness, evidenced by his selection of Sue Ellspermann as his running mate and in 2013 his appointment of Suzanne Crouch as state auditor, after opting for an ill-fated choice of African-American Dwayne Sawyer several months prior.

It continued on through the 2014 election cycle when Indiana Republicans nominated their first all-female ticket in Secretary of State Connie Lawson, Crouch and Treasurer Kelly Mitchell. At the Republican State Convention in June 2014, the Pence political apparatus threw its weight behind Mitchell, who won the nomination on the third ballot.

The moves were seen as Exhibit A in the combating of what Democrats had called the GOP's "war on women."

Fast forward to April 2015

Fast forward to this month with the latest Howey Politics Indiana Poll revealing the free-fall of Gov. Pence's favorables and job approval numbers, but also his support among female voters which is even worse than it was in November 2012.

On the job approval question, Pence is sideways with women with 37% approving and 51% disapproving. Among female voters, Pence's impressions/awareness numbers stood at 28% favorable and 42% unfavorable. That compares to Democratic Supt. Glenda Ritz, whose numbers stood at 56/37%. Pence's favorable/unfavorables stood at 28/35% among independent female voters. His favorables among Republican women stand at 58/15%, but that compares with Republican males who stand at 69/11%.

Female voters had a dim view of RFRA. Some 55% of them said RFRA will have a "negative" impact on the Indiana economy after it is no longer in the headlines, compared to 5% who said it would be positive. With college-educated females, 73% said the law was unnecessary, compared to just 33% of men. "I was really struck by the tremendous gender gap," Matthews told CNHI's Maureen Hayden. "Then RFRA blew the top off it. The bottom has fallen out with college-educated women."



Gov. Pence with Lt. Gov. Ellspermann and the all-female 2014 Republican ticket of Kelly Mitchell, Suzanne Crouch and Connie Lawson.

Gov. Pence is expected to make decisions on his political future in early May. Just a month ago, that decision was supposed to be between seeking a second term or getting into the crowded Republican presidential nomination fight. Since the Religious Freedom Restoration Act

debacle, most believe he will opt for reelection, though he told the Brazil Times after the Clay County Republican Lincoln dinner a week ago that a reelection bid would be a "family decision."

The big problem for Gov. Pence heading into a reelection bid is the specter of a move to expand Indiana's civil rights code to include sexual orientation, which would presumably play out between January and March of the 2016 election year.

Corporate leaders of both parties, and the NCAA, will push for this expansion with threats of leaving the state if the protections aren't broadened. Pence might be inclined to dig in, as Louisiana Gov. Bobby Jindal did in a New York Times op-ed this morning, observing of Indiana and Arkansas, "That political leaders in both states quickly cowered amid the shrieks of big business and the radical left should alarm us all. As the fight for religious liberty moves to Louisiana, I have a clear message for any corporation that contemplates bullying our state: Save your breath."

House Speaker Brian Bosma and Senate President David Long have been overt in their signals that the issue will be dealt with. "It's on the front burner as far as discussions about where we go from here, and I don't want to make predictions, but I think that was a good thing for our state to go through," Long said last week.

The political problem is that the HPI Poll found support for the civil rights expansion to include sexual orientation stood at 54-34% among all poll respondents. Among female voters support is even more emphatic with 60% favor the civil rights expansion and 30% oppose. Among Republican women, 45% support and 43% oppose. Among independent women, 67% support and 21% oppose. With Democratic women 70% support and 22% oppose.

The 2016 election is 17 months off, enough time for Pence to recover. But in doing so, he's going to have to find away to straighten out his standing with female voters. ❖

HPI Poll: Dramatic shift in marijuana laws

By **BRIAN A. HOWEY**

INDIANAPOLIS – When it comes to whether Indiana will reform its marijuana laws, don't hold that bong hit too long in hopes that it will happen any time soon.

The Howey Politics Indiana Poll found ample support to do that. On the question: Twenty-three states and the District of Columbia have legalized marijuana use in some form. In Indiana, it's not legal for any use. Which of the following do you support?

The results broke down: 24%, legalize marijuana for recreational and medicinal use; 31%, legalize marijuana for medicinal use only; 13%, decriminalize marijuana possession of any amount to be a fine as opposed to jail time; 28%, keep Indiana laws the way they are; 4%, don't know.

One way to read it is that 68% favor some type of marijuana law reform, and 28% favor the status quo, with 4% undecided.

HPI posed the question differently with this poll than we did in April 2013 and October 2012. In April 2013, the question was: Do you favor or oppose making possession of a small amount of marijuana an infraction rather than a crime? The results were 56% favored and 38% opposed. On a similar question in the October 2012 Howey/DePauw Indiana Battleground Poll (all polls conducted by Bellwether's Christine Matthews and the 2012 poll with Democratic pollster Fred Yang), 54% favored and 37% opposed.

These survey results correspond with other national surveys released during this "4/20" week. A CBS News Poll found a record high 53% favored legalization while 43% want it illegal. CBS News reported that public opinion on legalizing pot has shifted over the last few years, and has changed dramatically since 1979 when CBS News first asked about it. Back then, just 27% said marijuana use should be legal. As recently as 2011, a majority of Americans opposed legalized pot use.

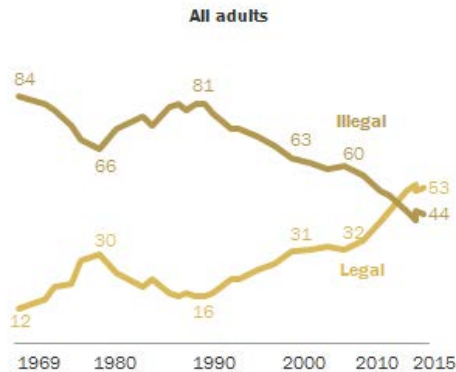
Pew Research had almost identical numbers:

Twenty-three states and the District of Columbia have legalized marijuana use in some form. In Indiana, it's not legal for any use. Which of the following do you support?

- 24% Legalize marijuana for recreational and medicinal use.
- 31% Legalize marijuana for medicinal use only.
- 13% Decriminalize marijuana possession of any amount to be a fine as opposed to jail time.
- 28% Keep Indiana laws the way they are.
- 4% Don't know

Opinion on Legalizing Marijuana: 1969-2015

Do you think the use of marijuana should be made legal, or not? (%)



53% favoring legal use and 44% opposed. As recently as 2006, just 32% supported marijuana legalization, while nearly twice as many (60%) were opposed. Millennials (currently 18-34) have been in the forefront of this change: 68% favor legalizing marijuana use, by far the highest percentage of any age group. But across all generations, except for the Silent Generation (ages 70-87), support for legalization has risen sharply over the past decade. The most frequently cited reasons for supporting the legalization of marijuana are its medicinal benefits (41%) and the belief that marijuana is no worse than other drugs (36%), with many explicitly mentioning that they think it is

HPI Poll results (top) and a history of Pew Research national polling (left).

no more dangerous than alcohol or cigarettes.

So why will the status quo stay in place here in Indiana while Chicago and Michigan on our borders and Western states have reformed their laws?

First, Gov. Mike Pence is ardently opposed to any reforms to marijuana or any other drug-related laws. He has been resistant to the needle exchange program to confront the Scott and Jackson county HIV crisis. "I do not enter into this lightly," Pence said during a press conference in March. "In response to a public health emergency, I'm prepared to make an exception to my long-standing opposition to needle exchange programs."

Republicans have the legislative super majorities and of political parties, GOP voters are more reluctant to pot reforms than two other pools of voters, but not by that much. Among Republican voters, 40% want to maintain the status quo, 30% favor medicinal, 15% want outright legalization and 12% favor decriminalization. While 57% of Republicans favor some sort of reform, that probably won't be enough to ignite a 2016 platform change and action in the General Assembly. It's a significant change, but not a groundswell.

There is a slight variation among Republican generations. In the 18-44 age group, 20% favor legalization, 31 medicinal, and 11% decriminalization, for a total 62% favoring some reform, while 36% are opposed. Among Republicans 45 and older, 45% favor the status quo while 10% favor legalization, 29% medicinal, and 12% decriminalization.

Among independent voters, 32% favor legalization, 32% favor medicinal, 13% want decriminalization and 19% favor the status quo. Or 79% of these potentially swing voters favor some type of reform. Among Democrats, 28% favor legalization, 29% favor medicinal, 17% decriminalization and 20% favor the status quo.

Missing in the marijuana reform paradigm is any organized effort to build a consensus for reforms, nor has there been a conspicuous public outcry for change. The state's NORML chapter is essentially missing in action. No other advocacy group has surfaced (with the exception of Broad Ripple gadfly Bill Levine, who got some airtime on CNN during the RFRA episode advocating religious use of pot), unlike those in Colorado, Oregon, both Washingtons



and Alaska. It's worth noting the dramatic shift in public opinion on the issue in Indiana came without an advocacy group lobbying and spending money to build a consensus.

In the 2012 gubernatorial race, Democrat nominee John Gregg said at the debate in Zionsville he was opposed to legalization, though he said he would consider medicinal. But it is unlikely that Gregg or any other Democratic gubernatorial nominee will make the issue a major campaign platform.

One opening would be that 68% would probably back the lowest level of reform, which would decriminalize marijuana. This would eliminate jail time, keep about 10,000 Hoosiers each year from having a criminal blemish on their records, and help unclog overburdened courts and probation agencies. A Republican consensus could probably be developed around that along the lines of saving taxpayer money. The state could also monitor legalization in Washington, Colorado and Oregon.

As with gay marriage, social attitudes toward marijuana have shifted dramatically both nationally and here in Indiana. The Indiana General Assembly and major party figures have been slow to acknowledge or embrace the shift. There is peril in doing so, as Gov. Pence and legislative Republicans discovered to stunning effect by the reaction to the RFRA episode over the past month. It happened with the lottery/gaming referendum in 1988. Republican leadership had stonewalled any change to state gaming laws for decades, until House Speaker J. Roberts Dailey was upset in 1986. The message was received, the legislature approved the lottery referendum in 1987 and 1988 and voters approved it with 64% of the vote. ❖

Gov. Pence's legislative agenda mostly intact

By **MATTHEW BUTLER**

INDIANAPOLIS – After the crossover point in late February, Howey Politics Indiana wrote the two unforeseen “wild cards” of the General Assembly session were repeal of the common wage and emergency steps to shorten this spring's ISTEP. Both had Gov. Mike Pence's vocal support and the latter was spurred by his calls for action in the



guise of two high-profile press conferences. They can be chalked up as administration victories as ISTEP is shortened and the common wage repeal now awaits his signature despite a close vote on the senate floor.

Starting in late March and early April there would emerge two far more serious wild cards and place the Pence Administration under national scrutiny: The HIV epidemic emanating out of Scott County and the fallout over the Religious Freedom Restoration Act (RFRA).

Pence spoke at a statehouse rally in support of the legislation, hosted an invitation-only signing ceremony once the bill reached his desk, and, to use an overused phrase that does apply in this instance, doubled-down on RFRA before a national television audience.

He immediately signed the legislative “fix” but remained on the sidelines during negotiations; the busi-



ness and corporate community could not have failed to notice. On paper, passage of RFRA was a legislative success. Politically, it may be the most defining as well as damaging event of his administration.

As for the HIV crisis, a bill allowing for needle exchanges in at-risk counties could reach his desk. Ideologically opposed to needle exchanges, Pence could veto it and incur possible political fallout if the epidemic does not improve.

With only days before sine die, HPI asked the Pence administration this week about the status of the governor's legislative agenda. They named 12 bills, all of which had passed albeit some “with amendments” as they put it. Upon inspection it's safe to declare that legislative agenda has advanced and is mostly intact.

Several were low-profile. HB1145 grants civil

immunity for volunteer health care providers. HB1303 reforms how privately certified professionals will be registered by the state in occupations not already regulated already by state law. And, HB1182 will create a statewide fire training academy to assist smaller and volunteer departments. Pence is scheduled to sign it into law this morning at the Convention Center as the 80th annual Fire Department Instructors Conference meets.

The Pence administration proposed a budget that was “structurally balanced,” limited spending growth under the rate of inflation, and maintained reserves above at least 12.5 percent of annual spending. As HB1001 enters into flurry of negotiations, these parameters will be met. So will the governor’s request for a balanced budget amendment to the state constitution. He unveiled that request and stressed it during his State of the State address. It’s on its way to return next year and then, if passed verbatim, be put before voters in November 2018. Other fiscal priorities such as tax simplification have advanced as well.

Gov. Pence billed the 2015 General Assembly as an “education session” as far back as early December when he outlined several key agenda priorities. Unlike the House and Senate Republicans’ key focus of the public school funding formula, Pence’s focused more on particulars regarding school choice and the State Board of Education (SBOE). He announced he was shuttering his own creation, the Center for Education and Career Innovation, and instead would focus and concentrate his political control on the SBOE. Whereas the buzz in December and January was the possibility of eliminating the superintendent of public instruction as an elected post, Pence circumvented some of the potential political outcry and called for a drastic change to the governance of the SBOE. Instead of the superintendent automatically serving as chair, the governor-appointed board would elect its own leader. Democrats, teachers’ unions, and other groups held a large statehouse rally in support of Glenda Ritz and some Republicans broke ranks in both chambers. Ultimately, Pence’s approach in the guise of SB 1 has advanced. It was a top agenda item and it’s so far successful.

Pence also requested two key school choice reforms: Removing the monetary cap on school vouchers and providing a \$1,500-per-pupil grant to charter schools. The House passed both but the Senate stripped the latter. It remains uncertain if not unlikely.

As for the school funding formula, Gov. Pence asked for a 2-percent increase (\$201 million) over the biennium, House Republicans proposed an increase of 4.7 percent (\$469 million). “We spent more money than the governor did,” House Ways & Means Chairman Tim Brown said. It was something that got “a little more emphasis”



by them. The Senate followed suit with a larger appropriation. This did not surprise anyone, however. What will be interesting to see is how the downgraded revenue forecast might impact the funding formula. Or, perhaps more likely, hit other items at the expense of keeping the funding formula a top priority.

The Pence administration’s budget proposal drew criticism for not requesting additional funding for staffing at the Department of Child Services. It cited a pending external review by consultants. The agency has suffered from high employee turnover and exceeding caseload limits. Democrats called upon Pence to request 77 additional case managers in his budget proposal. The administration ended up asking for more. After the review’s findings were released in mid-March, Pence asked for \$7.5 million in order to hire an additional 100 family case managers and 17 supervisors. It’s a request that will almost certainly be fulfilled. “I think it would be highly unlikely for us to take that out,” Chairman Brown told HPI Wednesday.

There are two items that will not be addressed fully: Prison funding and funding for regional city redevelopment. The house expressly did not include any funding for Pence’s request to increase cell capacity at the Wabash Valley and Miami Correctional Facilities. That appropriation would have involved \$51 million in cash funding on top of a \$43 million budget increase for the Department of Corrections. Both chambers have said they would rather fund community corrections, a major accomplishment within last year’s criminal code reforms.

Whereas Gov. Pence requested \$84 million for the Regional Cities Initiative, a top priority of the Indiana Association of Cities and Towns, both the House and Senate approved only \$20 million. In response to the substantial reduction, IEDC President Eric Doden wrote, “The Regional Cities Initiative will enable bold transformative changes in communities across Indiana to grow and retain our best and brightest. Unfortunately, the House budget provides an insufficient amount of state investment to pursue bold, nationally recognized transformative change for Indiana’s regional economies.” The IEDC believes hundreds of millions of dollars will be needed over the next decade in order to have a transformative statewide impact. Proponents are hopeful the amounts might meet somewhere in the middle before sine die.

Overall, one can anticipate a post-legislative press conference by the governor in which he declares this budgetary session a success and his education agenda passed into law. The implications of those policies and how certain elements were handled, like RFRA, SBOE reform, the school funding formula, and needle exchanges, remain unclear. ❖

‘Dark store’ could cost locals millions

By **MATTHEW BUTLER**

INDIANAPOLIS – A new precedent is poised to drastically alter how Indiana big-box retail stores are assessed for property taxes. If left unaddressed this legislative session, local government entities fear it could lead to a flurry of tax appeals, refunds going back years, and cost an estimated \$120 million statewide in lost annual revenue.



As the sine die approaches, a Wednesday conference committee for SB436 failed to resolve differing language on the matter.

The issue stems from a December ruling in which the big-box retail chain of Meijer appealed the assessed value of one of its Indianapolis stores. The Indiana Board of Tax Review (IBTR) ruled in Meijer’s favor and reduced the assessed value from \$19.7 million to \$7.2 million. Taking into account property tax caps, the 2012 bill was reduced from \$486,000 to \$177,500, a 63-percent tax cut. Moreover, a \$2.4-million refund was awarded for assessments dating back to 2002. Kohl’s won a similar ruling in Howard County.

It could turn commercial property assessed value on its head statewide. Indeed, that was the point. Faegre Baker Daniels attorney Stephen Paul, counsel for Meijer, told the Indianapolis Business Journal in January that the Indianapolis store was a “test case.” Both it and the Kohl’s ruling are under appeal, but now Meijer and other big-box chains are taking steps to contest their individual stores’ assessments county by county. The IBTR accepted Meijer’s property tax assessment methodology over the prevailing method in Indiana, which rests on the current highest and best usage of the property. The chain argued for an expansive definition of market value and compared its relatively new store on the bustling 96th Street corridor between Indianapolis, Carmel, and Fishers to other big-box chains’ vacant stores, or “dark stores,” in Anderson, Bloomington, Clarksville, and Lafayette.

County assessors and local officials find this a specious methodology. They argue it intentionally compares properties in dissimilar circumstances. New purpose-built stores occupied by big-box chains are inherently more valuable than those stores either vacant or sold on the secondary market, they argue. Moreover, such properties are often sold on the secondary market with value-sapping deed restrictions disbaring competitors or similar retail operations. Thus, opponents argue, dark stores will inher-

ently be of less assessed value as compared to first-generation big-box stores.

Dark stores impact?

A study by Policy Analytics for the Indiana Association of Counties estimates 17,067 commercial properties would be affected, resulting in a 45-percent reduction in assessed value, some \$3.49 billion statewide. Lower assessed value for big-box retail stores will result in a tax shift to the tune of \$49.9 million per year to other businesses and homeowners. Moreover, it will reduce revenue by \$43.1 million for taxing units and hit TIF districts with an estimated loss of \$25.6 million.

The estimated net levy lost by applying the dark store assessment methodology would be an appreciable hit of over a million dollars for at least thirteen counties: Allen (\$4.1 million); Delaware (\$1.18); Elkhart (\$3.38); Hamilton (\$1.23); Hendricks (\$1.32); Howard (\$1.84); Johnson (\$1.06); Lake (\$3.82); Madison (\$1.35); Marion (\$7.78); St. Joseph (\$1.69); Vanderburgh (\$1.86); and, Wayne (\$1.0).

Meijer and other stores have been successful in applying the dark store methodology in Michigan. Local governments since 2010 have been hit with legal fees, paying for tax refunds, and dealing with reduced revenues. Earlier this month the Lansing State Journal reported that Mason and Ottawa counties lost millions in assessed value and nearly \$300,000 and \$745,000, respectively, in annual revenue. If the Indianapolis Meijer ruling stands, the \$2.5-million refund will be drawn from across the county’s taxing units. If the ‘dark store’ methodology is applied wholesale, Marion County’s schools and libraries would be hit to the tune of approximately \$3.2 million and \$360,000, respectively. The wider tax base could also suffer diminution through a cascade effect in which the now lower assessed big-box stores and the land beneath them depresses nearby commercial and residential properties.



State Sen. Brandt Hershman

SB 436: Fixing or codifying?

Looking to the 2015 Indiana General Assembly, local government groups and officials wanted measures to prevent the Michigan experience. “It looked like a double hit,” Indiana Association of Counties (IAC) Executive Director David Bottorff told to HPI Wednesday. “You have to come up with money for refunds and you have less money going forward, a big problem. We saw a huge decline in assessed value ready to take place.”

IAC along with the Indiana Association of Cities and Towns (IACT), the Indiana Association of School Business Officials, and the Indiana Association of Public School Superintendents lobbied for a legislative fix. They found, perhaps, a surprising champion: Senate Tax & Fiscal Policy

Committee Chairman Brandt Hershman, R-Buck Creek. It's a reversal from last year. Then those groups were fully mobilized in opposition to the repeal of the business personal property tax (BBPT). Both Sen. Hershman and Gov. Mike Pence were proponents. Ultimately, a county option was settled upon.

"We explained to Sen. Hershman, we walked through it, and we came to the conclusion that was not the intent of the "market value in-use," which is in the property tax manual. So he agreed we needed to address that before additional properties started to get that reduction in assessed value using that methodology," Bottorff explained. Hershman amended his SB436 in committee to specify "chain stores commonly referred to as big-box stores" as well as "fast-food restaurant chain properties, national retail drugstores, movie theaters, home improvement chain stores" and other categories cannot use the 'dark store' assessment methodology. Instead, market value-in-use and improvement costs through the store's federal taxes and construction costs would determine assessed value.

The House Ways & Means Committee replaced this language. Local groups fear the changes are actually codifying the Meijer ruling. Chairman Tim Brown told HPI that using federal measures to arrive at cost could allow for depreciation that would result lower than expected assessment values. "We said cost is the preferred method, but when you bring something in for appeal or an evaluation, you can use all three of the methods under our law: cost, income, or sales comparison," Brown explained Wednesday. Whereas others argue there is only a depressed secondary market for vacant big-box stores, Brown said analysis revealed that market still exists and costs can be evaluated. His language would disallow using long-term vacant stores for comparison. After 24 months of vacancy, those stores would be deemed "environmentally obsolescent." Brown also says his language requires an "arms-length transaction" in those sales thus preventing deed restrictions.

Whereas local groups wanted a solution this session, they might be willing to accept no bill rather than the house's current language. "While somewhat limiting, the 24-month window in the House version still gives appraisers the opportunity to find low value, second generation sales to use as comparable properties to new buildings," Bottorff told HPI. "The business's actual construction cost and land purchase is the best indicator of value after the initial years of construction. We would never allow a homeowner to purchase the best, most expensive lot in a neighborhood, build a new house and immediately file an appeal based on the sale of an older home in a less desirable neighborhood. New buildings need to be based on cost for at least the first 25-percent of the buildings expected lifespan. Our study is based on actual appraisals being submitted to assessors so we know what will happen, businesses will use appraisals of older properties on new stores. We have already seen it."

Earlier this week IACT used a scheduled state-house visit by mayors from across the state to lobby on the 'dark store' issue. It was a bipartisan group comprising Pete Buttigieg, D-South Bend; Greg Goodnight, D-Kokomo; Tony Roswarski, D-Lafayette; Allan Kaufman, D-Goshen; Mark Myers, R-Greenwood; and David Wood, R-Mishawaka. Sen. Hershman does not appear ready to compromise. "It's still up in the air," Brown told HPI following SB436's Wednesday conference committee. "Sen. Hershman did not put forth any proposal today. I've had some private conversations about why we did it so he understands our rationale and reasoning. I don't think I convinced him 100 percent."

"We know it's a difficult situation for the General Assembly to come up with the proper assessment methodology," Bottorff told HPI. "We really need to address this big-box issue this session to stop these refunds and lower assessed value." ❖

* * *

CASINO DEAL IN WORKS: Land-based casinos appeared to be safe Wednesday as House and Senate negotiators worked toward crafting final legislative language aimed at improving the competitiveness of Indiana's gaming industry (Carden, NWI Times). The conference committee for House Bill 1540 focused primarily on issues involving live dealers at the two central Indiana horse track casinos, tax relief for the French Lick casino and cannibalism concerns among Ohio River casinos in its only public meeting prior to the private negotiations that next week will produce a compromise proposal. The panel, led by state Rep. Tom Dermody, R-LaPorte, seemed unanimous in supporting a provision, previously endorsed by both chambers, permitting Indiana's permanently docked riverboat casinos to relocate onto adjacent land.

John Keeler, counsel and general manager for Centaur Gaming, which owns Hoosier Park Racing & Casino and Indiana Grand, said he thinks the limited live dealers over the next five years would give the casinos time to prepare for more competition in the Indianapolis market (Osowski, Anderson Herald-Bulletin). "I would ask you to look at re-inserting the language giving us a limited number of table games," Keeler asked the committee.

Bills awaiting Pence signature

NWI Times' Dan Carden compiled bills on Gov. Mike Pence's desk after passing House or Senate:

Service member contracts (82-0) — House Bill 1456 prevents members of the U.S. military or Indiana National Guard called to active duty from being charged early termination fees or other financial penalties if they cancel telephone, television, satellite radio, Internet service or gym memberships due to their deployments.

Wine by mail (42-5) — Senate Bill 113 rescinds Indiana's cumbersome process for purchasing wine by mail and authorizes Hoosiers to buy wine from online retailers if the purchaser provides the seller his or her name, address, telephone number and proof of legal drinking age. ❖

Brooks, Walorski out, eyes on Stutzman, Young for Senate

By **BRIAN A. HOWEY**

INDIANAPOLIS – Indiana’s open U.S. Senate campaign took on a modicum of definition Monday when rising star U.S. Rep. Susan Brooks opted to a 2016 reelection. In tandem with U.S. Rep. Jackie Walorski who came to the same conclusion, the one definitive element is that it won’t be a Republican to break the gender barrier for Senate offices that have always been occupied by white males over the state’s nearly 200 years of existence.

With Brooks and Walorski out, all GOP eyes are directed to the one candidate already in, former state Republican chairman Eric Holcomb, as well as U.S. Reps. Todd Young of Bloomington and Marlin Stutzman of Howe who are both “preparing” for a potential bid. Stutzman has apparently scheduled a campaign kickoff for May 9. Another, U.S. Rep. Todd Rokita, is said to be weighing a bid, but multiple sources are telling HPI he is unlikely to enter. And with the sine die of the Indiana General Assembly on April 29, House Speaker Brian Bosma of Indianapolis, State Sens. Mike Delph of Carmel and Jim Merritt of Indianapolis can begin their decision-making process along with Democrat State Rep. Christina Hale of Indianapolis. Delph, sources say, was holding off on the Senate race in case Brooks’ House seat opened up.

Brooks said on Monday, “I am grateful to represent the 5th District of Indiana in the United States House of Representatives. It is a responsibility and mission that I appreciate more each day. The opportunity I have to lead and serve is one I value deeply. This is a critical time in the life of our nation, and I am optimistic about my ability to help meet the challenges we face. I have concluded that the best way to have a positive impact for Indiana is to continue the work I have started in the 5th District, along with my service on the Energy and Commerce Committee and the Select Committee on Benghazi. For that reason, I have decided that I will not be a candidate for the United States

Senate in 2016.”

The Brooks decision caught some influential Republicans by surprise. Former Republican chairman Rex Early told Howey Politics that two weeks ago he was convinced that Brooks was going to enter the race with the imprimatur of her husband, David Brooks, who had been signaling a run was imminent. Brooks had been reaching out to Hoosier Republicans across the state and was slated to speak at the LaPorte County Lincoln dinner, well outside of her 5th CD.

Last week, Walorski came to the same conclusion in words similar to Brooks’. “Serving Hoosiers in the Second District is truly a privilege and one of the greatest honors I’ve had,” said Walorski in announcing a reelection bid last week, bolstered by raising \$250,000 in the first quarter. “I am so grateful to represent the best district in Congress and Dean and I have been blessed by the outpouring of support we’ve received over the past few weeks.” Walorski and Brooks became the first Republican women to enter Congress in 2012 since U.S. Rep. Cecil Harden more than a half century before.

As for Rep. Young, spokesman Trevor Foughty told HPI that Brooks’ announcement simply “creates a clearer lane for us.” Speculation in GOP circles was that Brooks and Young were unlikely to both run. Both Walorski and Brooks had called Young to give him a heads up on their decisions. Foughty said that the Brooks decision “creates breathing room. We don’t have to rush to a decision.”

Stutzman finished second to U.S. Sen. Dan Coats in the 2010 Republican primary. Holcomb has been traveling the state, building a campaign organization on a daily basis, while he raised \$125,000 in the six days between his announcement on March 26 at the FEC filing deadline.

Stutzman has about \$424,000 available for a possible Senate bid, according to the first-quarter campaign finance report he filed last week, according to the Fort Wayne Journal Gazette. Rep. Young has \$1.11 million, followed by Rep. Todd Rokita, R-4th, with \$1.04 million and Rep. Brooks with \$884,000, according to their reports.

Holcomb raised over \$125,000 in the six days between the announcement of his U.S. Senate candidacy on March 26, and the close of the first quarter on March 31. “The response has been, and continues to be, overwhelming

and encouraging. We not only hit our internal goal of ‘six figures in six days’ but we exceeded it beyond our expectations,” said Holcomb campaign spokesman Pete Seat. “Eric’s five key goals, and finding real forward-looking, In-



Reps. Brooks and Walorski are out of the Senate race, Rep. Stutzman is in and all eyes are on Rep. Young.

diana-grown solutions that support those goals, is resonating in every corner of the state. From Lake to Posey, and from Allen to Scott, our 165 unique contributors represented 27 Indiana counties with many, many more to come. Key facts about Eric Holcomb's first-quarter fundraising report: 174 total contributions; 165 unique contributors; 138 contributions from Indiana (79.3 percent of total); no contributions from political action committees; \$125,469 total raised; 78.9 percent of total from Indiana donors; nearly 80 percent of contributions from Indiana; contributions represent 27 Indiana counties; over 61 percent of all contributions were \$250 or less; over 75 percent of the campaign's donations generated online through email and social media solicitations."

As for Democrats, Rep. Hale appears to be nearing a decision to get into the race, former congressman Baron Hill is still mulling a run for the same seat he ran for in 1990, or the gubernatorial race, and the Democratic Senatorial Campaign Committee, sources say, is still holding out that former senator Evan Bayh jumps in with his \$9.9 million war chest. Bayh has told state and national media that he probably won't run for anything in 2016, but he speaks in present tense and has always been in a "never say never" mode. As long as Bayh stays in that mode, it is unlikely that a Democrat like Hill or Hale will find much fundraising traction. Hale told HPI that she was considering the race prior to Sen. Coats' March 24 announcement that he would not seek reelection.

Mayors

Elkhart: Neese favored

Former state representative Tim Neese has found himself in a competitive Republican mayoral primary, facing Dan Boecher. Local observers tell HPI that Neese's early start and his close ties to the conservative wing of the city party have positioned him well. Neese started campaigning back in August 2013 and has developed strong name recognition. Boecher didn't announce his bid until last January. Neese served 12 years in the General Assembly which helped him forge multiple ties with the community. Boecher is known, but more to city movers and shakers, those involved in development projects. "I would say Neese has a stronger connection to the conservative element of Elkhart, which is pretty strong," said Elkhart Truth reporter Tim Vandennack. "Boecher seems to be more involved with the upper echelons of the community." Boucher raised \$28,000 in donations, mainly from several big donors, thus far in 2015, compared to \$32,000 by Neese dating back to Jan. 1, 2014. The winner faces two-term Democratic Mayor



Dick Moore. **Primary Horse Race Status:** Leans Neese.

Fort Wayne: Harper has only \$31,000

Both Fort Wayne Mayor Tom Henry and Republican Councilman Mitch Harper are easily expected to win their respective primaries. But Henry has a huge cash-on-hand lead over Republican challenger Mitch Harper (Howey Politics Indiana). According to campaign finance reports, Henry has \$661,000 cash on hand, compared to \$31,000 for the Fort Wayne Council president. Both Henry and Harper have only token primary opponents, with Wayne Township Trustee Richard Stevenson having a mere \$1,462 cash on hand. Henry is seeking his third term. Henry started the cycle with \$559,568 while the Friends of Mitch Harper Committee began with \$15,302. The Harper campaign told the Fort Wayne Journal Gazette that the candidate "has been focused going door to door, neighborhood to neighborhood." His spokeswoman Veronica Wilson said, "Make no mistake, once we are through the primary, those individuals and others hungry for new leadership will bolster Mitch's campaign and fundraising efforts." **Primary Horse Race Status:** Safe Henry; Safe Harper.

South Bend: Buttigieg has \$365k COH

South Bend Mayor Pete Buttigieg continues to out-raise and out-spend Common Council member Henry Davis Jr. in the race for the Democratic nomination for mayor (Blasko, South Bend Tribune). According to recent campaign finance reports, Buttigieg raised \$136,605 and spent \$76,631.97 between Jan. 1 and April 10. He finished the period with \$365,479.94 cash on hand. Davis, by comparison, raised \$2,292, all from individual contributors, and spent \$2,087.26. He finished with \$204.74 cash on hand. Davis finished the previous reporting period with 13 cents cash on hand. Davis has said he is not concerned by the numbers. "The greatest thing about it is the fact I don't have any hooks in my back," he said. "I'm not beholden to any special interests." **Primary Horse Race Status:** Safe Buttigieg.

Richmond: Ingram outraises all candidates

Richmond Republican mayoral candidate Kyle Ingram has raised and spent more money on this spring's primary election than the other four candidates, both Republican and Democrat, combined (Engle, Richmond Palladium-Item). In election campaign reporting documents filed Friday, the Ingram campaign raised \$34,747.30 and spent \$31,099.91 during the reporting period of Jan. 1 through April 10. Republican opponent Diana Pappin was next, raising \$13,842.21 and spending \$8,055.62. Dave Snow led the Democratic fundraisers with \$4,728.89 and spent \$2,964.30. Democrat Monica Burns raised \$1,051.29 and spent \$579.60. Democrat Larry Scott did not raise or spend any money on his mayoral campaign during the reporting period. The complete campaign report for all the candidates will be available on the Wayne County website

Friday, said Clerk of Courts Debbie Berry. Ingram, an NCAA Division I basketball referee, spent most of his money, \$28,242.17, with The Englehart Group, an Indianapolis consulting firm that is managing his campaign, according to the filings. That money was spent on television ads, billboards, website development, television and radio production, and yard signs. **Primary Horse Race Status:** Leans Ingram, Leans Snow.

Lake Station: Soderquist: 'I'm innocent'

Democratic candidates for the Lake Station mayor are focusing on the decay in the city, abandoned houses, sewers that are falling apart and more (Post-Tribune). But they aren't ignoring the public corruption charges current Mayor Keith Soderquist is facing, as he defended himself from the allegations and his competitors called for a return of ethics to the city. Soderquist, who is seeking his third term in office, proclaimed: "I am innocent, and I will prove myself, and I will have my day in court." Soderquist was charged in two separate cases a year ago in U.S. District Court in Hammond. In one, he and his wife, Deborah Soderquist, are accused of using campaign money and city money meant for the Lake Station food pantry to finance their own gambling trips. Former City Judge Christopher Anderson, who resigned from his office in February to run for mayor after two terms as city judge, said he didn't want to get into the details of the mayor's criminal case but said it shows there's a lack of ethics in the city. To answer that, he would require all city employees go through continual ethics training from the Shared Ethics Advisory Commission, a Northwest Indiana group that promotes ethics in government. Anderson said he would also strongly encourage other city elected officials to undergo training as well. "I think in the city of Lake Station and given what's happened, (training is) mandatory at this point," he said. **Primary Horse Race Status:** Leans Wilson.

Indianapolis: Hogsett has \$2.1 million

Democratic mayoral candidate Joe Hogsett has a war chest of more than \$2.1 million entering the May primary, dwarfing his Republican counterpart despite an injection of \$400,000 from the campaign of outgoing Mayor Greg Ballard (Tuohy, IndyStar). Campaign records show the former federal prosecutor raised \$955,636 between Jan. 1 and April 10 and has \$2,166,932 cash on hand. Friday was the deadline to file reports before the May 5 election. The Republican candidate for mayor, Charles Brewer, has \$657,451 on hand of \$671,730 raised. Records show that Greg Ballard for Mayor made a \$400,000 contribution on Feb. 25. Ballard is



Prospective GOP presidential candidate Carly Fiorina speaks to the Lugar Series on Monday in Indianapolis. (HPI Photo by Randy Gentry)

leaving office after serving two terms. In eight months of fundraising, Hogsett has garnered \$2.4 million in contributions. At the same point before the 2011 primary, then-incumbent Mayor Greg Ballard had just over \$2 million on hand. Two Democratic contenders, Jocelyn-Tandy Adande and Larry Vaughn, have not raised any money, according to finance reports.

Evansville: Winnecke has big money lead

Although the campaign fundraising gap between Republican Mayor Lloyd Winnecke and his Democratic challenger, Gail Riecken, remains wide, both candidates have reason to be pleased (Martin, Evansville Courier & Press). Winnecke, who is seeking a second term, has \$433,698 on hand compared to Riecken's \$85,572. Winnecke raised \$566,236 and Riecken \$111,445 through April 10. Winnecke said in a prepared statement he was overwhelmed by the show of support. His report shows contributions from both business and organized labor, with some big-dollar donors from Evansville and the Indianapolis area. "I'm incredibly humbled by this overwhelming show of support," said Winnecke. "It reflects the sentiment I hear every day: Evansville residents are pleased with the progress we are making and want to see our city continue down the path of expanded job growth and business investment and the revitalization of our streets and neighborhoods." Rep. Riecken had less than \$10,000 in her campaign fund in December when she decided to run for mayor. Mike Woods, Riecken's chairman, said the campaign is "thrilled" with its early progress. He had set a goal of \$100,000 for the first quarter of 2015. The 2011 Democratic mayoral candidate, the late Rick Davis, was heavily outspent and pulled 46 percent of the vote in his loss to Winnecke, Woods said. An analysis by Riecken's campaign showed 71 percent of her donors were from Evansville, and 60 percent gave \$100 or less.

Linton: Gregg endorses Wilkes

Linton Mayor John Wilkes' campaign gained momentum on Friday evening when former Speaker of the Indiana House John Gregg endorsed his re-election. "You know why I'm here?" Gregg asked. "I can't vote, but if you really want to do something to help me out, you will vote for John Wilkes for mayor, and I say that sincerely," said Gregg.

Presidential

Fiorina visits Indy

Possible presidential contender Carly Fiorina wouldn't say Monday how she thinks the GOP should choose which candidates will get to participate in the party's 2016 presidential debates

(TenBerge, Statehouse File). Fiorina, in Indianapolis to speak at a GOP women's event, sidestepped the question, even though the debates could be her best shot at getting the attention she'd need to stand out among a growing Republican field. "I am reasonably confident that if I decide to jump into the race that I will be on that debate stage," Fiorina said. "I wouldn't do this if I didn't think I would have a lot of encouragement and I wouldn't do it if I wasn't prepared." The former CEO of Hewlett Packard is one of more than a dozen Republicans who are running or considering a bid for the party's nomination in 2016. Fiorina said she expects to make a decision and formal announcement about running for office in the coming weeks.

Hotline Power Ranking has 'Rubio on rise'

Three Republicans have officially announced they're running for president—but only two of them improved their standing since Hotline's previous edition of its GOP Presidential Power Rankings. Sens. Ted Cruz, Rand Paul, and Marco Rubio kicked off their campaigns in early spring, with Cruz and Rubio in particular demonstrating unexpected financial might and taking advantage of the moment. Meanwhile the most memorable moment from Paul's rollout was a clash with the press. The Hotline ranks Jeb Bush first, and Wisconsin Gov. Scott Walker and Florida U.S. Sen. Rubio tied for second. "The senator from Florida is enjoying a nice bounce in polling, fundraising, and media attention." ❖

Studies on prevailing wage elimination

By **MICHAEL HICKS**

MUNCIE – Indiana has just passed legislation that would eliminate the prevailing wage for public construction projects. Indiana passed what is known as a "little" Davis-Bacon Act in 1935. That act today requires that any



non-roadway project involving more than \$350,000 in public funds would require a five-person committee to set wages for contract workers. This committee consists of representatives from local business, labor, contractors, government and taxpayers.

Indiana's new legislation eliminates this rule so wages are no longer part of the bidding process for public works projects. Proponents of the measure

point to large cost savings to public infrastructure, while opponents argue it will hurt local construction companies and workers. Given a great deal of good research on the matter, it might be wise to see what recent studies conclude on these issues. From my reading of the available research, several recurring themes emerge.

First, the passage of this law will have little or no impact on skilled workers. Their effective wages are already primarily set in markets, not by committees. The biggest wage impact will be on low-skilled workers in construction, whose wages are now set by committees. Markets will value them less and we ought to expect fewer of them on construction sites, with lower pay. The best studies on the issue also point to a reduced union wage premium and more racial equality in construction wages. The latter is an important point, because racial discrimina-

tion as part of the Davis-Bacon Act has been a persistent issue in its application. Why this might be the case is related to a later point.

Second, there have been several studies of the effect of prevailing wage on construction costs. They overwhelmingly point to little or no impact on individual project costs of eliminating prevailing wage. One of the best studies looked at the Midwest where legal changes offered a clean natural experiment and found no savings. I think that is the likely impact in Indiana because most contractors will hire more skilled workers and fewer unskilled workers as several have testified.

The real impact of the repeal of the prevailing wage law is that it weakens the largest source of public corruption in local government: The over-cozy relationship between public officials and the participants of the prevailing wage committees. This relationship makes it too easy to trade political support for construction projects with local vendors and unions. The end of prevailing wage spreads the competition for contracting outside the voter pool.

The impact should be obvious. The limitations on the cost studies outlined above are that they can only identify cost overruns on individual projects. Whether or not a project was unnecessary or shoddily built is not part of the construction data. It is, however, part of the common experience of local government construction projects.

Many folks cannot say so openly, but taxpayers, good contractors, skilled workers and honest politicians should welcome the end to the prevailing wage laws in Indiana.

Michael J. Hicks, PhD, is the director of the Center for Business and Economic Research and the George and Frances Ball distinguished professor of economics in the Miller College of Business at Ball State University.

Gov. Kernan managing city clerk campaign

By JACK COLWELL

SOUTH BEND – Most South Bend residents don't know or care what the city clerk does. Yet, in the city's May 5 Democratic primary election, the premier race isn't for the mayoral nomination. It's for the city clerk nomination, Kareemah Fowler vs. Derek Dieter.

Fowler is chief deputy clerk, groomed by long-time Clerk John Voorde as his replacement as he leaves that office and runs instead for a city council seat. Dieter, in his third term on the council, is a recently retired South



Bend police officer who runs a private security company.

More is at stake than which one handles such clerk duties as keeping council meeting minutes and handling a bunch of records and the city seal. That's why so many prominent Democrats are involved in a highly financed race, featuring billboards, yard signs, phone banks and one of the most extensive door-to-door campaigns ever

conducted locally.

Usually, the hot primary contest is for the Democratic mayoral nomination in a city where that nomination is virtually a ticket to the mayor's office. Just four years ago, four serious candidates were waging determined campaigns for the party's mayoral nomination. Mayor Pete Buttigieg won big and went on to a landslide victory in the November general election.

Buttigieg now seeks a second term, seemingly certain. The real question is how large his plurality will be over controversial council member Henry Davis Jr., his only challenger in the mayoral primary. So, focus is more on the clerk's race and what it could mean for a mayoral nomination four years away, in 2019, when Buttigieg could be moving to challenges beyond the mayor's office rather than seeking a third term.

Even Buttigieg has focused on the clerk's race, backing Fowler in his only endorsement of another candidate in the primary. Joe Kernan, former governor and former mayor, is Fowler's campaign manager. He and a

number of other prominent Democrats actively campaign for Fowler. Why?

Kernan calls Dieter "a bad man" for higher office. He says Dieter has been an obstructionist on the council, opposing Buttigieg, and that Dieter wants the clerk's office as a stepping stone for mayor. In contrast, he says, Fowler "wants to serve," not promote political ambitions.

Dieter has lots of friends as well as those detractors. Supporters include people with whom he worked in many years of organizing and coaching in youth sports. And Dieter is counting on his extensive door-to-door campaign that began back in January, including days of below-zero weather. He estimates that he will have reached 9,000 homes by May 5.

Reaction?

Mostly positive, Dieter says, except for one lady who posted that she didn't want any of the candidates. "I think looking people in the eye and talking issues is more effective than pieces of paper," Dieter says, referring to mailings with endorsements for Fowler.

Both candidates say they intend to run a positive campaign. But some of their supporters attack, with accusations against Fowler for overtime parking tickets and accusations against Dieter for making money with security jobs while still a police officer.

Fowler says she received a letter from the city legal department for 13 unpaid tickets for overtime parking in 2011. She says she paid for them early in 2012, long before she had any thought of running for clerk.

"I'm not saying I wasn't wrong," she says. "I should have paid them on time." But she says she disclosed all the information about it to key supporters when she considered running, with all concluding it was nothing like a widespread ticket problem that sidetracked a judge candidate in a past primary.

Dieter says nobody could accuse him of being a ghost employee in the various security jobs because he was always visible on duty at Notre Dame sports events and minor league baseball games.

An ironic aspect: All the effort against Dieter by detractors seeking to keep

him from being a formidable 2019 mayoral candidate have made clerk the premier contest now. If he wins it, Dieter could indeed be a formidable future contender. A lot more than guarding the city seal is at stake. ❖



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

We need journalists for vigorous oversight

By **LEE HAMILTON**

BLOOMINGTON – A robust, inquisitive congressional oversight process should be capable of revealing what is too often hidden, but it's not. We need journalists to do it.

I have been involved in politics and policy-making for over 50 years, and as you can imagine I hold strong feelings about reporters and the media. They're not what you might think, however.



Far from considering journalists to be irritating pains in the neck, though I've known a few who qualified, I believe them to be indispensable to our democracy. Our system rests on citizens' ability to make discriminating judgments about policies and politicians. Without the news, information, and analysis that the media provides, this would be impossible. We depend on jour-

nalists and the outlets they work for to be our surrogates in holding government accountable; they can serve as a formidable institutional check on the government's abuse of power.

So I am uneasy about some of the directions I see journalism taking these days. I admire the role that the press has played throughout our history, and fervently hope that it can right itself to play such a role again.

Let me note at the outset that I can find exceptions to everything I'm about to say. There are journalists doing reporting that is clear-eyed, fearless, and grounded in an honest evaluation of the facts – I'm thinking, for instance, of some of the work in recent years on the NSA – and this work has moved the national debate forward.

But far too often, journalism falls short. Reporters often seem to take what politicians and their handlers say at face value, writing what they hear without ensuring that the facts bear it out. They look for winners and losers at the expense of nuance. They strive to give the appearance of even-handedness by creating a false balance between two sides that do not deserve equal weight. They elevate politics, polls and personality over substance and mea-

sured analysis.

Too often, Fox or MSNB or any of a plethora of broadcast, print and online outlets, slant the news. They engage in pack journalism, reminding me of blackbirds on a telephone line; one comes and others follow. And they delight in spotlighting the screw-up, the mistake, or the gaffe, which might be entertaining to readers but sheds no light on the underlying issues that could make government better if addressed.

I also worry about the increasingly sophisticated efforts by the government and powerful interests to tell us only what they want us to know. Reporters want to be part of the media elite, and the White House in particular, under presidents of both parties, has become quite skillful at manipulating them. Reporters have to keep policy makers at arm's length, and not be intimidated by them.

I believe that much contemporary journalism has come untethered from a set of traditional values that served the country well over many years. Journalism needs to be in the service of justice, asking questions, telling stories, and inspiring those in power and those who vote for them to do the right thing.

It should be a check on power, ferreting out the stories that those who hold public office don't want revealed, and reporting the truths that we, as Americans, have the right to hear. It must hold tight to accuracy, intellectual honesty, rigorous reporting, and fairness, values that ought never to go out of style. And journalists have a profound responsibility to serve as lie detectors.

A couple of years ago, the notable investigative reporter Seymour Hersh gave a speech in London in which he said of the U.S. government in particular, "The Republic's in trouble. We lie about everything. Lying has become the staple." You don't have to go to that extreme to agree that journalists have to be curious and skeptical, and not buy into the conventional wisdom of the establishment. A robust, inquisitive congressional oversight process should be capable of revealing what is too often hidden, but it's not. We need journalists to do it.

In the end, my concern is that skeptical reporting and deeply informed investigative journalism are fading. We need more of them, not less. I want to see journalists digging deep into the activities of government, politics, business, finance, education, welfare, culture, and sports. Our Republic depends on it. ❖

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

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YOUR FRIENDS ALL HANG OUT HERE... DO YOU?

Rep. Donna Harris follows Lake tradition

By RICH JAMES

MERRILLVILLE – When Donna Harris was elected a week ago to replace her late husband, Earl Harris, in the Indiana House of Representatives, it certainly didn't break any new ground.



In fact, for wives to replace their husbands in elected office has been a tradition in Lake County for several decades. Rep. Earl Harris, an East Chicago Democrat, spent 33 years in the House before passing away last month. Precinct committeemen elected Donna Harris over Byron "Duke" Florence to replace her late husband.

band.

It's always pretty much been a sentimental kind thing, whether the office being filled is on the local or state level. Whether Donna Harris was the most qualified for the job doesn't really matter. The people wanted Earl's wife to replace him. So, she will serve this year and next year and likely won't run for a full term.

In terms of seniority and learning the ropes, it would have made more sense to elect someone who wanted a longterm career in the House. But, hey, that's politics. And, filling vacancies is one of the most important things that precinct committeemen get to do.

Yes, the idea of a spouse replacing a spouse has been going on for years in Lake County. Decades ago, Irene Hologna replaced her late husband, Andrew, as Lake County treasurer when he died in office. Their daughter, Peggy, is county treasurer today. And she still carries her late father's name on the ballot. She always has been Peggy Hologna Katona.

Perhaps the most memorable case of wife succeeding her husband came in the early 1980s. Chris Anton was elected Lake County sheriff in 1982, the first police officer in ages to be elected sheriff. Anton, who some think had the sheriff's election stolen from him in 1978, was an extremely popular candidate. Police officers across the county knocked on doors on Anton's behalf. The work paid off

as Chris Anton was overwhelmingly elected.

But Anton's term as sheriff didn't last long. He took ill and died in office. The county's 500-plus precinct committeemen gathered to replace him. While Chris Anton ran a campaign of a cop for a cop's job, neither of those seeking to replace him was a law enforcement officer. Chris's wife, Anna Anton, sought to fill the remainder of her husband's term and was the sentimental favorite. But then, politics took over and would eventually change the face of Lake County politics forever.

Rudy Bartolomei, a county commissioner at the time, was talked into running by a group of political supporters. Bartolomei won a tight race and reportedly asked those close to him on his first day in office, "Well, what do we do now?" The office staff also told him that they would have a stamp made in his name.

He reportedly expressed shock when the stamp turned out to be a signature stamp and not a postage stamp.

Bartolomei eventually was indicted by the feds and entered the witness protection program. His cooperation led to the indictment of several county politicians. ❖

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.



State Rep. Donna Harris is comforted by her son, Earl Harris Jr., at the funeral of her late husband, State Rep. Earl Harris of East Chicago. (NWI Times Photo)

Matthew Tully, IndyStar: Bill Oesterle's announcement last week followed his harsh, high-profile criticism of Gov. Mike Pence and the other Statehouse Republicans who pushed the controversial Religious Freedom Restoration Act through the legislature this year. His actions and words of protest have carried weight because of his background: He leads one of the region's best-known companies; he has showered Republicans with campaign cash in past cycles; he is a respected civic leader; and, most important, he managed Daniels' first campaign for governor in 2004. The two remain close. "Mitch's governorship represented something very powerful to a lot of people," he said. "It was built on ideals. It was built on energy. It was fearless. It had thousands of loyal participants. It was about putting the interests of the state of Indiana first. It was about the simple proposition that if you do the right thing for all Hoosiers, everything works out." "I want to make sure," he continued, "that all of the people who bought into those things have the organizational and institutional support to run for office or to get involved. Right now, they are stuck out on an island. Banding them together and putting resources behind them is the point here. Because they will change the world." Oesterle confirmed talk that he is aggressively pushing the idea of another run for governor by Daniels, perhaps as soon as next year. He hasn't discussed the idea with Daniels, now Purdue University's president, and said, "I'm just spouting off about it. What else can I do? I find it works better that way. If I actually discuss it with him, he can tell me to stop." The first step forward, he said, should be an amendment to state civil rights laws to include protections based on sexual preference and gender identity. That would not only be fair, he said, but it would also help repair the long-term economic damage done by this year's religious freedom debate. He also believes it could save Pence's career. "He can fix his governorship," Oesterle said. "But to do so, he is going to have to completely reexamine his understanding of the needs of the entire state. Not just some pieces of it, but the entire state. He's capable of it. He honestly is." ❖



Doug Ross, NWI Times: The hits keep coming, as they say on the radio, but these hits aren't popular tunes. It's the Pence administration taking hits for breaking former Indiana Gov. Mitch Daniels' social contract. On April 3, David Fagan resigned from the Indiana Port Commission in protest over Pence's support for repealing Indiana's common construction wage. Fagan, who was appointed twice by Daniels, said he feared middle class wages would be reduced as a result of the repeal. On Monday, long-time Indiana Education Roundtable member Pat O'Rourke resigned in disgust with Gov. Mike Pence's policies, saying the Religious Freedom Restoration Act's anti-gay stance — before the uproar caused legislators to do an about-face and "fix" it — was the last straw. And then on Tuesday,

the Indiana Economic Development Corp. hired a New York public relations firm for \$2 million to try to polish the state's image. Better late than never, I suppose. The IEDC action ought to be seen as a clear sign that Indiana's economy is suffering as a result of the positions taken by the state's legislators and governor. ❖

John Krull, Evansville Courier & Press: When the news broke that the state of Indiana had hired an out-of-state public relations firm to repair its "battered" image, the politest response was a guffaw. The voices on social media, in particular, were derisive. "You can't fix stupid," one noted communications professional posted on Facebook. The state's decision to spend \$2 million having Porter Novelli help restore the state's brand is an easy target. The truth is that Indiana doesn't have an image problem. Indiana's state government does. There is a difference between the state and its government, a difference our elected officials make clear on an almost daily basis. One of the astounding things about the whole RFRA debacle was that so many Hoosier elected officials said they were "stunned" by the reaction to the law — despite clear warnings from advocates, businesses and community organizations that there would be blowback from many quarters if RFRA became law. There is a solution to this problem, but it doesn't involve an expensive public relations campaign run by an out-of-state firm. No, the solution is a political one. It's called an election. ❖

Andrew Downs, Indianapolis Business Journal: Howe Politics Indiana released a poll on April 16 with some interesting results. One of the findings that caught my eye was that only 48% of Republican respondents said the Religious Freedom Restoration Act (RFRA) was necessary. What I am wondering is why Gov. Mike Pence, Speaker Brian Bosma, and President Pro Tempore David Long supported this legislation given the lack of support even among their party and why they took the approach to support and passage that they took. No doubt someone will want to comment that it was right to support a bill that protects the practice of a religion regardless of what the public thinks. There is something to be said for that. The reason it got me thinking is because Pence, Bosma, and Long are smart politicians and if they had known how unpopular this would be, they still might have supported it, but there is no doubt that they would have taken a different approach. Why didn't Pence, Bosma, and Long know? Given the fight over the same-sex marriage amendment from last session, it seems logical that the governor and/or the caucuses would have tested the RFRA language before the session and developed an appropriate strategy. Did the public's mood change that much, that quickly? If so, that would have to be one of the fastest changes of public sentiment on record. ❖

Browning out at INDOT

INDIANAPOLIS – Indiana’s top transportation official abruptly resigned Wednesday, with Gov. Mike Pence naming a replacement the same day (Schneider, Evansville Courier & Press). Karl Browning served in the role of commissioner of the Indiana Department of Transportation most recently since 2013 and also headed the Hoosier Lottery. Browning did not submit a formal resignation letter but sent Pence’s administration an email on Wednesday, saying his resignation was effective immediately. “While I am proud for the accomplishments I’ve been able to achieve in state government and am sincerely grateful to you for the opportunity to serve your administration, it is time for me to move on,” Browning wrote to Pence. The circumstances surrounding Browning’s departure are unknown. When asked Wednesday, the governor’s office said it doesn’t discuss personnel matters. But informed sources tell Howey Politics Indiana that it was related to potential retaliation to private companies for “poaching” INDOT employees. Pence named Brandye Hendrickson as the new commissioner.



Hoosier Lottery criminal charges

INDIANAPOLIS – Marion County Prosecutor Terry Curry is set to announce “criminal charges in multi-million dollar” Hoosier Lottery scam at 11 a.m. today.

Clintons tied to Russ uranium sale

NEW YORK – The headline in Pravda trumpeted President Vladimir V. Putin’s latest coup, its nationalistic fervor recalling an era when

the newspaper served as the official mouthpiece of the Kremlin: “Russian Nuclear Energy Conquers the World” (New York Times). The article, in January 2013, detailed how the Russian atomic energy agency, Rosatom, had taken over a Canadian company with uranium-mining stakes stretching from Central Asia to the American West. The deal made Rosatom one of the world’s largest uranium producers and brought Mr. Putin closer to his goal of controlling much of the global uranium supply chain. But the untold story behind that story is one that involves

not just the Russian president, but also a former American president and a woman who would like to be the next one. At the heart of the tale are several men, leaders of the Canadian mining industry, who have been major donors to the charitable endeavors of former President Bill Clinton and his family. Members of that group built, financed and eventually sold off to the Russians a company that would become known as Uranium One. Since uranium is considered a strategic asset, with implications for national security, the deal had to be approved by a committee composed of representatives from a number of United States government agencies. Among the agencies that eventually signed off was the State Department, then headed by Mr. Clinton’s wife, Hillary Rodham Clinton. As the Russians gradually assumed control of Uranium One in three separate transactions from 2009 to 2013, Canadian records show, a flow of cash made its way to the Clinton Foundation. Uranium One’s chairman used his family foundation to make four donations totaling \$2.35 million.

Pence, IEDC send gift bags for bills

INDIANAPOLIS – Promotional gift bags. A slick, campaign-style website. Undisclosed corporate donors. Gov. Mike Pence has employed each

of those strategies in a last-ditch effort to save one of his top legislative priorities — a new \$84 million “regional cities” initiative intended to boost economic development across the state (Cook, IndyStar). The campaign is being operated out of the Indiana Economic Development Corp., the state’s semi-public job creation and business attraction arm. And it’s being funded with donations to the Indiana Economic Development Foundation from undisclosed private companies. It includes a website, indianaregionalcities.com, that criticizes the General Assembly, saying lawmakers “SIGNIFICANTLY SLASHED FUNDS FOR HOOSIER COMMUNITIES’ TRANSFORMATION.” The site directs people to “TAKE ACTION!” and provides a form letter for residents to send to legislators urging them to “restore Governor Pence’s proposed \$84 million appropriation for the Regional Cities Initiative.” At the same time, the IEDC sent gift bags to 25 key lawmakers last week. Inside were letters of support from the Indianapolis Chamber of Commerce and mayors of several cities. There was also a gift: a magnetic paper clip sculpture with the regional cities website written on it. “That’s pretty aggressive, and I don’t think it really does anything to promote a solution,” said Senate Appropriations Committee Chairman Luke Kenley, R-Noblesville.

Food insecurity grows in Lafayette

LAFAYETTE – More people than ever are considered food insecure in Tippecanoe County, according to a newly released report from Feeding America (Lafayette Journal & Courier). But the percentage of the total population considered food insecure has dropped — suggesting that the growth of Tippecanoe’s general population is outpacing that of the food insecure. Those and more findings come from a report last week released by Feeding America — a national nonprofit coalition of 200 food banks.