

Pence's dangerous missed opportunity



Instead of fast-tracking civil rights, the issue could fester deep into the 2016 cycle

By **BRIAN A. HOWEY**

INDIANAPOLIS – For months, many Hoosiers awaited a position from Gov. Mike Pence on the question of civil rights expansion. On Tuesday night during his fourth State of the State address, his position was minimalist.

At a time when legislators sought guidance and leadership, Pence gave them only very broad parameters in what more than one Republican referred to as a “tone

deaf” realization of an emerged majority opinion backing the expansion. The words and body language from legislative leaders, the rank and file members, the press corps, and even the executive branch following the address was revealing. This was a missed opportunity.

It took Pence about 20 minutes to address the issue of civil rights expansion for gays, lesbians and transgender Hoosier citizens. “I am aware there is at least one more issue getting attention: Whether to extend full civil rights protections to Hoosiers on the basis of sexual orientation and gender identity,” Pence said. “Over the past few months, I have studied this issue carefully and listened respectfully to people across this state. Our state

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Pitchfork revolt revived

By **BRIAN A. HOWEY**

INDIANAPOLIS – Covering the 1996 presidential race in New Hampshire just prior to the primary, my Pontiac Grand Am ended up with a flat tire rendering me stationary near the Exeter town square, only to be engulfed in a torch-lit “pitchfork brigade” of Pat Buchanan supporters heading to a rally on a picturesque winter evening.



Ultimately, this would be a conventional wisdom race. U.S. Sen. Bob Dole would stave off senators, governors and a multi-millionaire publisher named Steve Forbes to win the Republican nomination. President Clinton, seen as vulnerable after the 1994 GOP tsunami that cap-



“He really said nothing, but he said it well.”

- State Rep. B. Patrick Bauer, reacting to Gov. Mike Pence's State of the State address



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tured control of Congress, would coast to victory two years after he presided over the establishment of the North American Free Trade Agreement.

Historians often link the disastrous 1964 Republican presidential campaign of Barry Goldwater as a precursor to the 1980 Reagan Revolution. I see the same connections between Buchanan and the surge of billionaire Donald Trump.

After months of skepticism and doubt about his durability, I now believe the Republican nomination is Trump's to lose. Heading into tonight's debate, in New Hampshire, Trump has a Real Clear Politics composite lead of 30.2 to 13.2 over U.S. Sen. Marco Rubio, with U.S. Sen. Ted Cruz and Ohio Gov. John Kasich moving up, but still about 20% behind. In Iowa, Cruz has an RCP composite lead over Trump 27.3 to 26.8. But Trump is rebounding after planting the seeds of doubt about Cruz's American citizenship. In a Quinnipiac Poll released on Monday, Trump was leading Cruz 31-29%, and this is before he has spent much money on TV ads.

Go to the next state, South Carolina, and a Dec. 20 CBS News/YouGov poll has Trump leading Cruz 38-23%, as well as having a 28-21% lead in an Augusta Chronicle Poll.

Following South Carolina comes the Deep South. In Florida, home of Sen. Rubio and Jeb Bush, Trump had a 30-20 lead over Cruz with Rubio at 13% in a Dec. 18 Florida Times-Union Poll. In the so-called SEC primary, or Super Tuesday, Trump was leading in Georgia over Cruz 25-16 in a Fox5 Atlanta Poll released on Dec. 18. In a Dec. 8 North Carolina Poll by PPP, Trump was leading Cruz 33-14%.

Skeptics doubt that Trump has the prerequisite conventional wisdom ground game to actually win in Iowa or New Hampshire. I see the nuts and bolts politics being engulfed by the Trump Political Reality Show. Jeb!, you're fired. Marco Rubio wears high heels. Ted Cruz is a Cacuck.

So all the talk about a contested presidential primary coming to Indiana and a brokered convention in Cleveland looks pretty dubious. If I am Gov. Mike Pence, one of the U.S.

Battle for the White House								
RCP Poll Averages								
National			Iowa			New Hampshire		
Trump	34.0		Cruz	27.3	▼	Trump	30.2	▼
Cruz	20.0		Trump	26.8		Rubio	13.2	▼
Rubio	11.0		Rubio	13.3		Kasich	11.2	▲
Carson	9.5		Carson	8.8		Cruz	10.8	▲
Christie	4.3		Christie	4.3	▲	Christie	9.5	▼
National			Iowa			New Hampshire		
Clinton	48.3		Clinton	47.8	▼	Sanders	47.8	▼
Sanders	35.5		Sanders	42.0	▲	Clinton	43.5	▲
O'Malley	3.8		O'Malley	5.5	▼	O'Malley	2.5	▲

Senate candidates, U.S. Reps. Jackie Walorski and Larry Bucshon, and House Speaker Brian Bosma, I would be putting Plan B (Trump at the head of the ticket) on the front burner.

Fueling the Trump phenomenon is Buchanan's pitchfork brigades. In an interview with the Washington Post's Chris Cillizza earlier this week, Buchanan explained, "Trump is sui generis, unlike any candidate of recent times. And his success is attributable not only to his stance on issues, but to his persona, his defiance of political correctness, his relish of political combat with all comers, his 'damn the torpedos' charging in frontally where others refuse to tread, as in that full retaliatory response to Hillary Clinton's stab at him for having a 'penchant for sexism.' Trump shut her down. These clashes have elated a party base that is sick unto death of politicians who never fight."

The national dynamic, where the Republican establishment is in deep anxiety and the blue-collar Republicans and remnant Reagan Democrats are mesmerized by Trump, is in play here in Indiana. Not only did Trump lead Indiana in a Dec. 2-9 Bellwether Research Poll 26-17% over Cruz and Rubio, with Carson drawing 16%, not a single "establishment" Hoosier Republican leader in Congress, the General Assembly, mayors or the Statehouse has endorsed Trump. Many Hoosier Republicans

seem to be praying that Rubio can challenge Trump.

And look no further than New Albany Councilman Dan Coffey, who switched to the Republican Party last weekend. "The Democratic Party is not the same as it was years ago when I joined," Coffey told the News & Tribune. "I have a strong belief in the Christian values that were adopted by the founders of our Constitution. I feel just as strong about our rights to pray, and to pray before each city council meeting for divine guidance as it is allowed and upheld by the U.S. Supreme Court. I don't know when politically correct became the unwritten law. But it is often used to undermine the rights of the ordinary person and to their detriment. Unfortunately, this is the direction the Democrat Party is headed."

Trump is vulgar and profane. He takes a little sip of wine and eats a little cracker and calls it communion. He has offended just about every ethnic group, the disabled, war heroes and certainly the press, making the kind of cracks that would devour past presidential candidacies. And yet he leads among social conservatives even as he flip flops on cornerstone issues like abortion. "Evangelical voters are more complex than people give them credit for," Family Research Council President Tony Perkins said on Fox News Channel's "The Kelly File" last week. "They don't vote just for who goes to church on Sunday. They vote for someone who they feel confident will lead this nation forward. Donald Trump is the result of a Republican leadership here in Washington, D.C., that has been playing political footsies with Barack Obama rather than fisticuffs. People are tired of it, and that includes evangelicals."

When it comes to his Christian cred, Bloomberg's "With All Due Respect" tried to get Trump to identify his favorite Bible verse, something that Gov. Pence and just about any member of the Congressional delegation could do at the drop of a hat. "I wouldn't want to get into it," Trump responded. "Because to me, that's very personal. The Bible means a lot to me, but I don't want to get into specifics." Asked if he favored the New or Old Testament, Trump said, "Probably equal. I think it's just ... incredible, the whole Bible..."

Beyond the evangelicals, Buchanan sees searing anger at the establishment dating back to the Bush and Clinton presidencies. In Indiana, we see portable signs in little towns proclaiming, "No more Clintons and Bushes."

"What's different today is that the returns are in, the results are known," Buchanan explained. "Everyone sees clearly now the de-industrialization of America, the cost in blood and treasure from decade-long wars in Afghanistan and Iraq, and the pervasive presence of illegal immigrants. What I saw at the San Diego border 25 years

ago, everyone sees now on cable TV. And not just a few communities, but almost every community is experiencing the social impact.

"The anger and alienation that were building then have reached critical mass now, when you see Bernie Sanders running neck and neck with Hillary Clinton in Iowa and New Hampshire and Trump and Ted Cruz with a majority of Republican voters," Buchanan said. "Not to put too fine a point on it, the revolution is at hand."

And this "revolution" is not confined to the GOP. In Iowa, Sen. Bernie Sanders is surging, trailing Hillary Clinton by just 2% in a Des Moines Register Poll released this morning. In a Tuesday Monmouth Poll in New Hampshire, Sanders was leading Clinton 53-39%, while she trailed him 47-44% in an ARG Poll. In Iowa, a Sunday NBC/WSJ/Marist Poll had Clinton up just 48-45% over Sanders.

The difference between Sanders and Trump is that Clinton still has double-digit leads in South Carolina, Nevada, North Carolina and California. Conventional wisdom has it that Clinton's national ground game makes the Sanders long-term viability suspect. But Sanders has raised \$73 million, a stunning number, and if he wins Iowa and New Hampshire, the parallel movement in the Democratic Party could rise, as evidenced by Vice President Joe Biden's encouraging words for the Vermont socialist.

Could it be possible to have a November showdown between the billionaire demagogue Trump and the crusty socialist Sanders?

Conventional wisdom has it that a Trump nomination would be a disaster for down ballot Republicans, and that he could never win a general election race. Trump is the darling of the blue collar Republicans and Reagan Democrats, but beyond the GOP primary fringe which tends to be more conservative and evangelical, Trump will falter with Latinos, African-Americans, educated females, and moderate Republicans.

I think that's still the case, but I'm not as certain as I was a couple months ago. In the RCP composite general election matchup, Sanders leads Trump 44-42%. Clinton leads Trump 46.2 to 44.4%. In a Jan. 8 Fox News poll, Trump led Clinton 47-44%. In a Dec. 23 CNN/ORC Poll, Clinton led Trump 49-47%. And in a Dec. 22 Quinnipiac Poll, Clinton led Trump 47-40% while Sanders led Trump 51-38%.

So at this early date in mid-January, the pitchforks are sharpened. The torches are being fueled. We don't know if there will be other Charlie Hebdos, Bataclans and San Bernardinos that could super charge the Trump rampage.

And, well, anything can happen, even a revolution.



Pence, from page 1

constitution declares that 'all people are created equal' and I believe that no one should be harassed or mistreated because of who they are, who they love or what they believe." Pence continued, "Hoosiers also cherish faith and the freedom to live out their faith in their daily lives. The question before you as elected representatives of the people of Indiana is whether it is necessary or even possible to reconcile these two values in the law without compromising the freedoms we hold dear.

"As you go about your work on this and other issues, know that I will always give careful consideration to any bill you send me, but legislation must be consistent with the Indiana Constitution," Pence said. The pronouncement capped more than 150 days with the issue swirling around the governor, potentially splintering the business and social conservative wings of his Republican Party. The governor said repeatedly that he was "listening" to various constituencies, and "studying the issue." Now he questioned if it was even "necessary" or "possible."

The growing anticipation over Pence's stance on the issue was one that begged for leadership, and Pence largely took a pass. Some of the response was predictable. Democratic challenger John Gregg reacted, saying, "His refusal to take a stand for equality is unconscionable given the fact that he created this mess, which continues to damage Indiana's economy and reputation. This failure of leadership is disappointing, but sadly not surprising."

But the disappointment was not limited to the loyal opposition. Peter Hanscom, initiative manager for Indiana Competes, the coalition of businesses and corporations, many of which are a part of the GOP universe, reacted, saying, "Despite months of conversations with business leaders, we are disappointed that Gov. Pence has shown no leadership tonight toward ending legal discrimination in Indiana. He had an opportunity to lead our state and call for decisive action to show that Indiana is a welcoming state, but his rhetoric indicates he is willing to let Indiana be a state that welcomes most, not all. While Gov. Pence emphasized tonight that Hoosiers should not be harassed or mistreated, he said nothing about condemning Hoosiers being fired, removed from their home or denied public service because of who they are. It's time for our elected officials to lead and find a solution that ensures equal rights for all."



Gov. Pence delivers his fourth State of the State address last night in the House Chambers. On Wednesday, the Indiana Pastors Alliance rallied for him. (HPI Photo by Mark Curry)

Evangelicals were pleased. "We consider that to be an unambiguous, direct statement that he (Pence) is going to protect the religious liberty of Hoosiers," Kevin Baird, field director for the pastors group and a minister at Crown Point's Living Stones Church told the NWI Times. Ron Johnson, Jr., executive director of the Pastors Alliance and senior minister at Living Stones Church, warned that providing "special rights" to LGBT Hoosiers will lead to persecution of people who sincerely believe marriage must be limited to one man and one woman. "If we live out these beliefs we're now called bigots," Johnson said. "But for Christians seeking to live their lives and conduct their businesses in a way that pleases God, we gain absolutely nothing from either of these bills, and we actually lose everything because these bills criminalize our beliefs and actually turn God himself into a discriminator."

While Pence enjoyed the traditional applause that governors tend to receive, the response from legislative leaders was muted. Senate President David Long, a looming primary target of the pastors and Tea Party, characterized it as Pence "leaving the door open," adding, "I don't think it changes anything. He's kept his cards close to the vest." Speaker Brian Bosma appeared to be looking for guidance, saying, "I heard the possible portion. I don't disagree it is a very

difficult task. I thought he was more clear on religious freedom issue as I've heard him say before. We'll have to have further discussion with him on that."

A contrast with Gov. Haley

Tuesday produced a contrast when South Carolina Gov. Nikki Haley gave the Republican response to President Obama's final State of the Union address later evening. She took the opportunity to take on the growing perception of intolerance in the GOP's presidential campaign. "Today, we live in a time of threats like few others in recent memory. During anxious times, it can be tempting to follow the siren call of the angriest voices," Haley said on Tuesday, adding that she is "the proud daughter of Indian immigrants who reminded my brothers, my sister and me every day how blessed we were to live in this country."

It was a veiled reference to Republican presidential frontrunner Donald Trump, who has called for a ban of Muslim immigrants entering the United States and has been a font of bullying and denigration to various minority groups, and people with disabilities. "We must resist that temptation," Haley said. "No one who is willing to work

hard, abide by our laws, and love our traditions should ever feel unwelcome in this country.”

On NBC’s “Today Show” Wednesday, Haley was asked if she was referring to Trump. “He was one of them, yes. He was one,” Haley said. “There’s other people in the media, there’s people in my state. I think we’re seeing it across the country. But yes, Mr. Trump has definitely contributed to what I think is just irresponsible talk.”

But digging deeper into the contrast, Gov. Haley, who appeared with Gov. Pence at last June’s Republican spring dinner, also faced the kind of divisive social issue that Pence is confronted with today. Following the massacre of nine members of the Mother Emanuel Church in Charleston, where the murderer had hoped to commence a race war, Haley had to address the display of the Confederate battle flag on the Statehouse mall in Columbia.

On June 22, Haley boldly explained, “Today, we are here in a moment of unity in our state, without ill will, to say it is time to move the flag from the Capitol grounds. The murderer, now locked up in Charleston, said he hoped his actions would start a race war. We have an opportunity to show that not only was he wrong, but that just the opposite is happening. My hope is that by removing a symbol that divides us, we can move our state forward in harmony, and we can honor the nine blessed souls who are now in heaven.”

On the face of it, the move was fraught with more intense political complications and consequences than Pence faces now with the civil rights expansion. South Carolina is one of the more conservative states in the Union, the initial flash point in the Civil War, and once a bastion of Jim Crow and racial intolerance, the remnants of which still exist in politics, and particularly within likely GOP primary voters.

National coverage resumes

Pence’s light touch on civil rights quickly entered the national domain, seeded by the Indiana Democratic Party and expansion advocates. The Washington Post observed, “The culture war is alive and well: Indiana Gov. Mike Pence, giving his State of the State address, doubled down on his pledge to protect ‘religious freedom.’” Politico ran a similar assessment in its Morning Score.

Buzzfeed reported: “If anything, Pence made the political waters murkier by nodding to both sides of the debate, opposing discrimination while also supporting religious freedom, without addressing the content of a half-dozen bills piling up in the legislature.”

And the National Journal reported: “Indiana Gov. Mike Pence declined to explicitly say Tuesday during his

State of the State address whether lawmakers should add civil-rights protections for gays to state law, ensuring that the debate will continue as he seeks a second term.”

Pence warned legislators to protect religious freedom, saying, “I will not support any bill that diminishes the religious freedom of Hoosiers or that interferes with the constitutional rights of our citizens to live out their beliefs in worship, service, or work.” Clearly, he was emphasizing the religious freedoms over the protections for the LGBT community.

Pence’s signature last year on the Religious Freedom Restoration Act – a bill opponents feared would allow religiously affiliated businesses to discriminate against gays and

lesbians – and the uproar that followed immediately impacted any hopes he had of running for president. It’s now at the center of Pence’s reelection, as he finds himself among Democrats’ top targets.

Legislative consequences

Going into the Pence speech, multiple sources were describing a scrambled scenario that begged for gubernatorial leadership. Few people HPI talked to saw consensus emerging.

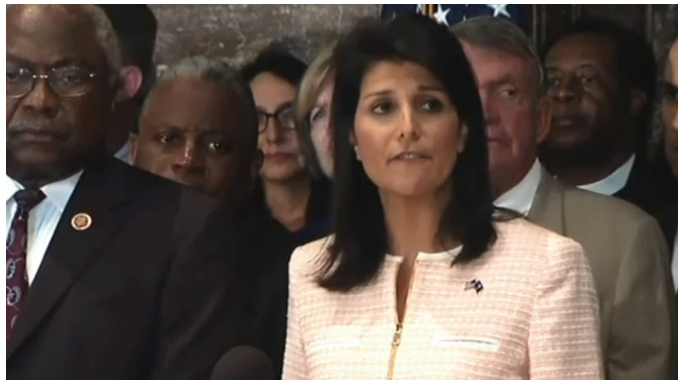
The LGBT activists, legislative Democrats and the evangelical right have all dug into positions. They have all said there is no room for compromise. With the advocates unwilling to compromise, did this give Pence a way out?

State Sen. Travis Holdman, the author of SB100 and co-author of SB344, told HPI that there is still time to find consensus. “It’s all about fair balance of protecting the rights of the LGBT community and the protecting religious liberty rights we have,” Holdman said. “I think the tough thing, something you said, is it’s threading the needle. That’s the tough job. I think when we get to the point of quieting the folks on the extreme right and the extreme left we’ll find sensible middle ground for Hoosiers. I think Hoosiers are fair-minded people, as the governor said.” Does Holdman believe he can find consensus? “I’m hopeful we’ll get there,” he responded.

Over the weekend, Sen. Brandt Hershman, who co-authored SB344 with Holdman, told Lafayette Journal & Courier columnist Dave Bangert that he was optimistic that a solution could be worked out. “Will something get done? I’d say yes ... I would say the fact that you see multiple approaches to this question, multiple ideas, is an honest effort to make some headway.”

Quick resolution is in Pence’s best interest

So this is leadership at the legislative level. A



South Carolina Gov. Nikki Haley decisively dealt with the volatile Confederate flag issue, controversial with her base.

hands-on approach by the Pence team could speed resolution of the issue, which, in the long term, is in Pence's best political interest. Could Pence follow the example of President Lincoln, who openly horse traded on the 13th Amendment fight? At this point, he and his team don't appear to be equipped or willing to do that.

The longer the civil rights debate goes on, the more it underscores a defining vulnerability for Pence that emerged in late March, when he and his staff bungled the Religious Freedom Restoration Act bill signing, the optics of that signing, and his defense of the new law on national television.

It is a political smudgepot. It continues to obscure what Pence laid out in the opening parts of his speech, which included record employment, 355,000 Hoosiers enrolled in his innovative HIP2.0 health care program, the proposed new mental health facility, and the billions of dollars of investment in the state. Civil rights is sucking the oxygen away from those issues.

The fact that RFRA even surfaced in the General Assembly and landed on his desk was an epic miscalculation that has wounded Pence politically. His approval rating dropped more than 20% and he finds himself in close races with Gregg, his head-to-head and reelect numbers in a troubling lower 40th percentile. The contrast here would have been a strong governor telling his allies that such a bill wouldn't see the light of day until January 2017.

If the General Assembly fails to find a compromise, Pence will be open to the consequences that for the time being have evaded legislative Republicans. No civil rights extension could result in suitors approaching the NCAA for relocation, or big conventions like Gen Con leaving Indianapolis. If these stories blow up prior to the November election, it would revive the entire debacle.

Political consequences

A key question if a compromise can't be reached is whether there will be political consequences. The prospect of Lt. Gov. Sue Ellspermann leaving the ticket, at a time when she should be seen as a coveted political asset playing to the crucial female vote, is already one problem that isn't fully understood at this point.

While Pence and his campaign team have fretted the loss of his social conservative base, less understood is what happens with the business wing of the GOP. Will they stop writing checks? Crown Point billionaire hotelier Dean White, for instance, has yet to ante into the Pence reelect. The governor's fundraising edge over Gregg in the final six months was realized only by an 11th hour \$1 million check written by the Republican Governors Association.

The business community, which should be staunch

allies in the governor's reelection bid, could end up on the fence or downright hostile. "The business community was looking for leadership from Gov. Pence and not a shoulder shrug to the LGBT community," said Hanscom of Indiana Competes. While Hanscom is a Young Democrat, that advocacy organization includes people like Hendricks County Republican Chairman Mike O'Brien and lobbyists like Gretchen Gutman from Cook Group. "Business leaders have been meeting with Gov. Pence for over six months and giving him advice that decisive action was needed. We didn't even hear a serious ask of the legislature. We are certainly looking for leadership and guidance and not just a shoulder shrug."

Asked about the political consequences if nothing happens, Hanscom said, "We are focused right now on getting this done. I would point right now that in the most recent poll Indiana Competes has done, 62% of Hoosiers support a full extension."

Surveys by Republican pollster Christine Matthews of Bellwether Research conducted for Howey Politics Indiana and Bill Oesterle in April and June of 2015, and those for Ball State University by Princeton Survey Research, and another in December for the IndyStar, reveal support in the 54-34% range in favor of a civil rights extension.

One Republican source told HPI that the Democratic Governors' Association will be watching. "They see blood in the water," the source said. "Politically, he gave cover to no one. He didn't even support public housing and employment aspects."

Then there is Bill Oesterle, who managed Gov. Mitch Daniels' 2004 campaign, who had donated \$150,000 to the 2012 Pence campaign, and has now set up the Free Enterprise PAC. It met last week and attendees told HPI that the meeting was packed. Oesterle did not return phone calls this week in the wake of the Pence address.

Finally, there is John Gregg. Will he seek to burish the issue rhetorically, or, perhaps, by putting South Bend Mayor Peter Buttigieg on the ticket?

Does the civil rights issue have political legs? Can it override the economic issues into next autumn?

And does Pence have even bigger problems if Donald Trump is the GOP presidential nominee? Does the Trump message of intolerance create a wider scenario where Indiana's LGBT issues dovetail in?

These are political issues impossible to gauge today, actively festering for the next month or two.

For now, Pence may have kept his base in line, but many other aspects of his reelect are out of his control, to the degree we have not witnessed with any sitting governor since Joe Kernan, and not with a prior Republican incumbent. Since governors could seek reelection, Pence is facing far more wild cards than any of his predecessors. ❖



Lt. Gov. Sue Ellspermann glances upward as General Assembly members applaud her prior to Gov. Mike Pence's State of the State address. (HPI Photo by Mark Curry)

Matt Tully, IndyStar: It was, without question, one of the worst speeches I've ever heard a politician give. It was empty and phony, an out of touch act of political self-preservation, and filled with cheap applause lines and small-ball notions at a time when Indiana needs boldness and big ideas. Gov. Mike Pence had months to prepare for his annual State of the State Address. He went out of his way in recent weeks to build up expectations for it. But in the end the speech he delivered was as devoid of ideas and guts as it was any semblance of leadership. Mike Pence failed Indiana Tuesday night. Yes, once again, he failed the state so many of us love and want to see move forward. He failed for many reasons. As the business community begs for action, making clear daily that this matter continues to haunt and hurt Indiana, Pence responded to nine months of "listening" by saying little and doing even less. In doing so, he simply guaranteed that this issue would continue to hurt Indiana. He also made clear once again that the leaders at the Statehouse are House Speaker Brian Bosma and Senate President David Long. ❖



Michael Leppert, NUVO Newsweekly: Historically, successful politicians have been skilled at making the electorate feel good, proud, or optimistic about things. The recent fear-based campaigns notwithstanding, it is conventional campaigning that dictates this as a rule. If it is possible for a candidate to avoid "going negative," do it. If you are an incumbent and can claim ownership of some positive circumstance, then jump all over it. It doesn't matter who or what is truly the cause anyway, right? Gov. Mike Pence's latest challenge is an unforced error that should not have been allowed to happen. Democrats don't even seem to be prepared for it. Pence had an indisputable bright side in his campaign war chest, of which no one in their right mind could imagine him losing. And that bright side was Lt. Gov. Sue Ellspermann. The news broke that Ellspermann has interest in leaving her post to become the new president of Ivy Tech Community College. In and of itself, this is a great idea for the college. And there is no institution in Indiana in need of a shot in the arm more than Ivy Tech. It's graduation rate and student debt performance of late has been horrendous. Its leadership is turning over prematurely. The mess there is a golden opportunity for her. For the life of me, I can't imagine how this unfolded in the Pence administration. If I were governor — and I think the state can be thankful that I am not — and Ellspermann came to me saying she wanted to do this, I would have done almost anything to convince her otherwise. Not having her on the ticket in 2016 as his running mate is a big deal for Pence's re-election bid. A monumental deal in fact. Anyone who sees it otherwise just isn't paying attention. Since the inauguration in January of 2013, she has been on her "Listen and Learn" tour, visiting all 92 counties. The people of this state have gotten

to know her. She has assembled and led a task force to study and address rural broadband deployment, an all but certain 2016 campaign issue. This work resulted in legislation on the matter with more almost certainly to come. And she has taken her role as a woman in government seriously with her engagement on behalf of Carly Fiorina's participation on the main stage of the GOP presidential debates making national news. I just wish there had been some polling done on her before this week. I'm betting her favorables are off the chart. But she may be off the team for re-election now. And while everyone in government is replaceable, Indiana Republicans will not be able to make up the ground they lost here. Her three years of work can't be replaced in 10 months, even if her replacement is unequivocally awesome. Which leads us back to the baffling nature of this news. How could the Pence team let their one indisputable bright side get away? Being unable to recognize one of the clear successes of the term, and see how to use it to boost the optimism of voters, is a bad sign for the governor. ❖

Dave Bangert, Lafayette Journal & Courier: Hours before Gov. Mike Pence walked through the General Assembly throng for his State of the State address Tuesday night, bills that would strip this year's train wreck of an ISTEP test of its sharpest bite were handily clearing hurdles in the House and Senate. Pence that afternoon had rightly touted progress on bills that would hold schools harmless for the precipitous fall in A-F grades and unbundle the portion of teacher salaries tied to pass/fail rates in their classrooms on one new and tainted test. Those were, the governor reminded followers on social media, part of his office's legislative agenda. Here's the thing: He was late to the game. Last winter, as teachers and local superintendents begged for relief when spot checks revealed big holes in a test not ready for prime time, Pence was unmoved. Accountability would march on. That is, until ISTEP actually did crash, pretty much the way educators said it would. Pence's tune changed, as did those of education reformers throughout the Indiana House and Senate. So much so that the governor guaranteed in his State of the State speech a soft landing for schools and a replacement for ISTEP. It's a snapshot of so much of Pence's administration: A step behind the eventual conclusion. The State of the State again found the governor stepping back instead of stepping up when he finally laid out just how far he was willing to go to protect gay, lesbian and transgender Hoosiers. The answer: Not very far, if it put faithful Hoosiers out of their comfort zone. After 10 months of meeting with everyone "from pastors to LGBT activists or college presidents to business leaders," Pence punted on Tuesday, the night he promised to land somewhere. ❖

Gov. Pence highlights Rev. Harrison mission

By MAUREEN HAYDEN
CNHI State Reporter

INDIANAPOLIS – The Rev. Charles Harrison is used to spending his nights on crime-ridden streets, working to keep the state’s capital city from seeing another record year of homicides.



But on Tuesday evening, the Methodist pastor and Jeffersonville native was in the office of Gov. Mike Pence, chatting casually with the state’s chief executive shortly before his State of the State address.

It wasn’t their first meeting. Harrison, whose brother and nephew were murdered in separate incidents of drug-related violence, heads the 10 Point Coalition. The ecumenical group of clergy and ex-convicts patrol what are some of the most violent neighborhoods in the nation, just blocks from the Indiana Statehouse, to preach peace and bring calm.

The Republican governor has met privately with Harrison, as he’s searched for solutions to combat the state’s surging heroin and methamphetamine problems and the crime that comes with them.

“This is a human problem. This is not a Republican or Democrat issue,” Harrison said. “And we have to be willing to put aside politics to do what’s in the best interest of people most affected by this violence.”

For his counsel, Harrison, 54, was invited to be one of a handful of special guests acknowledged by the

governor during his State of the State address. The group included two mothers whose children died from drug overdoses.

Pence called on legislators to stiffen penalties for drug dealers. He also asked them to find new ways to confront what he called a rising tide of addiction and an escalating cycle of despair and violence. (At year’s end, the murder rate in Indianapolis, 16.9 for every 100,000 residents – was higher than Chicago’s.)

“We must respond with courage and compassion, just the way Rev. Charles Harrison is taking his message of peace and reconciliation to the streets of our capital city,” Pence said in his speech.

The words were deeply personal for Harrison. When he was 14, growing up in Jeffersonville, Harrison’s 21-year-old brother was shot down in the streets of Lou-



Rev. Charles Harrison (right) in the House gallery with U.S. Sen. Dan Coats. (HPJ Photo by Brian A. Howey)

isville in a drug deal gone bad. His brother’s teenage son would meet the same fate years later.

Harrison has spoken candidly about the rage his brother’s murder inspired in him. With friends, he planned to get a gun and kill the men he thought were responsible. A group of people from his family’s church intervened, urging him to forgive. It was the first step toward Harrison’s eventual decision to become a minister.

Harrison’s introduction by Pence at the State of the State drew sustained, bipartisan applause from legislators. Harrison was appreciative, though not much impressed. He fears there may be a lack of political will for lawmakers to devote the resources needed to combat addiction, poverty and other root causes of crime. “The people most affected by violence don’t care about politics,” he said. “They just want peaceful and safe neighborhoods.” ❖

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

Young reports \$750k, \$2.6m cash on hand, Stutzman up on TV

By BRIAN A. HOWEY

INDIANAPOLIS – With the first Indiana Republican Senate debate just two days away, the fourth quarter FEC numbers are coming in and U.S. Rep. Todd Young will post \$750,000 for the quarter, \$2.9 million for the cycle and \$2.6 million cash on hand.

The campaign of U.S. Rep. Marlin Stutzman raised \$335,000 for the fourth quarter and \$1.6 million for the cycle, according to campaign manager Joshua Kelley. The campaign of Eric Holcomb will report \$60,000 for the quarter. “Washington, D.C., may be impressed with fundraising numbers, but we’re focused on a different set of numbers,” said Holcomb spokesman Pete Seat, citing 100 endorsements, 92 counties visited and 4,500 ballot signatures.

The Stutzman campaign also launched its first TV ad of the cycle, appearing on cable in a couple of markets.

Young will have access to \$2 million for the primary, with the television advertising campaign just around the corner. “We’re proud of the support Todd continues to earn across the state, and the momentum he’s building,” campaign manager Trevor Foughty said. “It shows that Hoosiers are drawn to his background of military service, especially his years of working military intelligence in the Marines. It shows they want a Senator with a proven record of fighting and winning on some key conservative issues like repealing and replacing parts of Obamacare, or stopping burdensome regulations. As we head into this election year, we’re excited to see our message resonating in every corner of Indiana.”

Stutzman’s first TV ad has him working on his farm in Howe. “What makes a farmer?” the voice-over asks, “It’s long days, late hours and the last minute. It’s straight rows and cutting no corners. Their creed is seed, weed and feed, and then they get up tomorrow and do it all again. With grit, guts and God’s grace they get it done and that’s what we need in the Senate. In

a capital full of lawyers, we need a farmer.” The ad, posted on the Howey Politics website, shows Stutzman fixing his John Deere tractor, moving hay and hunting with his sons.

Foughty told HPI on Wednesday that a start date for a sustained TV campaign through the May 3 primary is just over the horizon. “We have not made that determination, but it will be in the future,” Foughty said.

The debate will take place at 9 a.m. Saturday at Pastariffic in Kokomo. The debate is expected to last 90 minutes and will be moderated by Abdul-Hakim Shabazz of IndyPolitics.

Governor: RGA gives Pence \$1 million

Gov. Mike Pence’s campaign fundraising advantage over Democratic challenger John Gregg was fueled by \$1 million from a Republican Governors’ Association-backed group (Associated Press). State election division records show Pence’s campaign received the contribution two days before the Dec. 31 reporting deadline. That helped Pence’s campaign raise some \$3.5 million during the last half of 2015, while Gregg’s campaign collected nearly \$2 million. Pence also banked sizeable checks in the last days of 2015 from several out-of-state supporters, including \$100,000 from billionaire conservative activist David Koch and \$10,000 from former Anheuser-Busch CEO August Busch III. Labor unions gave more than \$500,000 to Gregg. He also received \$20,000 from Indiana Pacers owner Herb Simon. The Pence campaign says it ended 2015 with nearly \$6.8 million, compared to \$3.5 million for Gregg.

Cardwell presses Gregg for vision

Indiana Republican Party Chairman Jeff Cardwell pressed Democrat John Gregg on his response to Gov. Pence’s State of the State address. “John Gregg’s rambling response to Gov. Pence’s State of the State address

was long on slogans and short on substance,” Cardwell said. “Once again, he offered no plans, no ideas, and nothing to improve the lives of Hoosiers. After being in hiding for months, John Gregg still can’t bring himself to defend Hoosiers from President Obama’s ridiculous claim that Indiana is responsible for Chicago’s crime problem. Even though he lobbied for a coal company, John Gregg still won’t stand up for Hoosier coal jobs against President Obama’s EPA overreach. He has no plan on

infrastructure, no plan to create jobs, and no plan to grow the Indiana economy. What he does have, however, is hundreds of thousands of dollars in Big Union money from Washington, D.C.”

Attorney general: Head files for reelection

State Sen. Randy Head, who has been considering

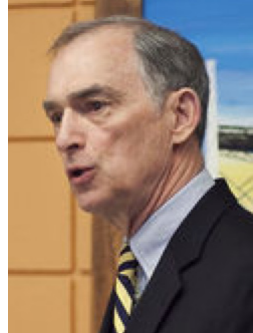


a Republican Indiana attorney general campaign, filed for reelection in SD 18. If Head decides to seek the attorney general nomination at the Indiana Republican Convention on June 11, he is expected to face former attorney general Steve Carter, assistant attorney general Abigail Kuzma, and Elkhart County Prosecutor Curtis Hill.

Congress

CD1: Visclosky seeks 17th term

Northwest Indiana's longtime congressman is seeking reelection to a 17th term in the U.S. House of Representatives. Congressman Pete Visclosky, D-Merrillville, filed the necessary paperwork to run in 2016 (Pete, NWI Times). "It is a great privilege to fight every day on behalf the 718,064 residents of the 1st Congressional District of Indiana," Visclosky said. "I am seeking reelection in order to continue to do my utmost every day to create a better Northwest Indiana for everyone currently living and working in our region and for the next generation of residents. We have made great progress, and I believe we are on the cusp of a new era of development and prosperity in Northwest Indiana. We must continue to build upon this momentum." Visclosky has won nearly all his reelection bids by lopsided amounts, typically capturing more than 60% of the vote in Indiana's heavily Democratic 1st Congressional District. He got 61% of the vote in the last



general election, and has previously won as much as 77%. "We must continue to invest in our economic and transportation infrastructure," the congressman said. "We must continue to improve access to our lakeshore. We must continue to fight to keep our nation safe. And we haven't a moment to lose."

Indiana Senate

SD8: Sen. Arnold changes mind on reelect

State Sen. Jim Arnold (D-LaPorte) has announced that he will not seek reelection. A longtime public servant, Sen. Arnold says he is stepping down to spend time with his wife and family. Arnold retired as the LaPorte County sheriff Jan. 1, 2007, after serving 36 years in law enforcement, then replacing Sen. Anita Bowser upon her death in 2007. An advocate for law enforcement and veterans, Sen. Arnold proposed legislation focused on improving public safety and the status of Hoosier veterans. He also directed a large part of his legislative efforts toward animal safety and worked to stiffen the penalties for animal fighting. Arnold has been recognized for his work on a number of issues, most recently as the 2012 Legislator of the Year by the Disabled American Veterans and the 2010 recipient of

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the Indiana Chamber of Commerce's Small Business Champion Award. He was selected as Legislator of the Year by the Indiana License Beverage Association in 2008 and was awarded the Sagamore of the Wabash by Gov. Joe Kernan in 2004. "2016 marks my 50th year in public service. I feel privileged to have served my community for many years," stated Sen. Arnold. "Although this was a difficult decision, I'm not looking back. This is the best decision for me, my wife and family." Retiring State Rep. Tom Dermody, who is Arnold's son-in-law, emphatically said "N-O" when asked if Arnold's decision to bow out will prompt him to now run for the Senate (NWI Times).

SD10: Rep. Niezgodski to seek Broden seat

After three South Bend Democrats revealed their plans for this year's elections Tuesday, it seemed one potential primary fight won't materialize, while another one will (Parrott, South Bend Tribune). State Rep. Ryan Dvorak, who started mulling a run at state Sen. John Broden's seat when Broden announced he would run for St. Joseph Circuit Court judge, instead filed for reelection to his House District 8 seat. State Rep. David Niezgodski has filed for Broden's Senate seat. County party chair Jason Critchlow had said he hoped they wouldn't both run in the May 3 primary because that would take one of them out of the General Assembly next year. "It just made the most sense for me," said Dvorak, assistant minority floor leader. "I'm in leadership in the House. For me it's just a better place to get things done."

SD16: Long kicks off reelect with video

Senate President Pro Tem David Long used a video to announce Monday he is seeking another term representing Indiana Senate District 16, which is composed of portions of Allen and Whitley counties. The Fort Wayne Republican has served as the Senate's elected leader since 2006. The video can be watched online at www.DavidLongforSenate.com. "When I became Senate leader in 2006, Indiana was struggling with mounting debt, poor job growth, high taxes and no vision for the future," Long said. "After a decade of working with Republican governors, I'm proud to say Indiana has turned things around and is now being hailed throughout the country for our strong economic growth, balanced budgets and low taxes. But there is more work to do, and that is why I am running for another term in the Indiana Senate. We must stay focused on the things that matter – education, infrastructure, economic development – if we want to maintain our reputation as the Crossroads of America. Indiana is a special place and I want to do everything I can to keep it that way." At an Indiana Pastors



Alliance rally at the Statehouse on Wednesday supporting Gov. Pence on civil rights, Rev. Ron Johnson cited Long as the "source of the problem."

SD 30 and SD32: Slating complications

Slating has been a staple of Marion County politics for many years. In slating, the precinct committeemen (PC) vote on who they believe is the best candidate for each race. Then, the political party puts its resources behind the slated candidate in each race – the one who wins the PC vote – and asks his or her slating opponents to drop out. At one time, slating was more prevalent throughout the state. Today, only Lake County and Marion County hold on to this antiquated system that favors those who are preferred by the county party chairman. As it stands now, many of the PCs are appointed directly to their positions by the county chairman and, thus, are inclined to vote for whoever the chairman supports under an implied threat of being removed as PC if they don't follow the party line. In essence, with as many as 85% or more of the PCs in Marion County being appointed, the party chairman can easily exercise control over who wins slating and gets the party's support.

The slating process also has some flaws in its design. In two specific State Senate races, for example, the senate districts cross county lines and, thus, the slating process is incomplete.

Senate District 36 is partially in Marion County and partially in Johnson County. Jack Sandlin and Jefferson Shreve are competing for the Republican nomination. At this point, Johnson County is not planning to send their PCs to the slating caucus in Marion County, thereby immediately slanting the process toward Marion County and its party chairman. The perception is that the Marion County party chairman supports Shreve, while Greenwood's mayor (in Johnson County) is supporting Sandlin. If the slating only involves Marion County PCs, it is anticipated that Shreve will have an unfair advantage.

Senate District 30 has a similar situation, except that it involves Marion County and Hamilton County. In this scenario, Suzie Jaworowski is running against John Ruckelshaus. Jaworowski is a political newcomer who lives in the Hamilton County city of Fishers. Ruckelshaus is an established Marion County community leader. Hamilton County has indicated that it will not participate in slating. Once again, the slating process and the eventual slating winner may be slanted toward the Marion County candidate, at the expense of Hamilton County voters.

SD30: Jaworowski announces

Suzanne "Suzie" Jaworowski announced today that she is running for the Republican nomination of Indiana

State Senate District 30. The district is currently held by Senator Scott Schneider, who is retiring at the end of his term. Jaworowski is the Communications Director for Sunrise Coal, LLC, the state's second largest coal producer. In her role, she is an advocate on the importance of coal in keeping energy costs low in Indiana. In addition to her work at Sunrise Coal, Suzie has had her own market consulting business. Most of my career has been spent in market research and communications," Jaworowski says. "I have conducted research and then served as the voice of the consumer for various companies and organizations. I am experienced with listening to people and making decisions based on their input. Being a good listener will be an important asset for me as a State Senator." Jaworowski vows to focus on vital community issues at the Statehouse. "My passion is to help all of Indiana's citizens by committing myself to issues involving the economy, education, illegal drugs and mental illness," she says. "Indiana is the best place I've ever been to live, work, raise a family and become a part of the community. I'm dedicated to helping preserve Hoosier values and better our way of life." Jaworowski is a member of the 2015 Class of the Richard G. Lugar Excellence in Public Service Series and is the Co-Chair for Carly Fiorina in Indiana.

SD32: Freeman to face Rep. Kirchhofer

Indianapolis City-County Councilor Aaron Freeman announced that he is running for the Republican nomination of SD32. The district is currently held by Sen. Patricia Miller (R-Indianapolis), who recently announced that this is her last year of serving, as she will retire at the end of the year. State Rep. Cindy Kirchhofer is also expected to file for the seat. Rep. Mike Speedy (R-Indianapolis) and Franklin Township Republican Chair Cindy Mowery have agreed to be Freeman's campaign co-chairs. "My record shows that I am a conservative who fights for lower taxes, job creation, economic development, better neighborhoods, safer streets and time-honored cultural values," said Freeman (pictured). "My experience as a practicing attorney, coupled with my active role on the Indianapolis City-County Council for the past six years, provides me with the qualifications to build on Sen. Miller's legacy." Freeman began his professional career as a deputy prosecuting attorney in the Marion County prosecutor's office, prosecuting both serious felonies and misdemeanors, as well as working on grand jury cases. In 2010, he opened his own private practice, the Freeman Law Office, LLC, "It is important for me to continue public service," Freeman adds. "For the past six years, I have carried my constituents' voices. I am humbled by the prospect of once again listening to my community and being there to voice their values."



Indiana House

HD8: Taylor, Cruz seeking Niezgodki seat

Joe Taylor and Dan Cruz said they plan to file for Niezgodski's House District 7. It would be the first public office for Taylor, a 39-year-old assembler at AM General and president of UAW Local 5 since 2011. He and his wife, Galinda, also an AM General worker, have six children, age 14 to 23. Taylor said he was born in South Bend, moved away as a child because his father served in the military, and returned to town in 1988, graduating from Riley High School. "I've been talking to family, peers and community leaders and they've encouraged me over the last few months to get more involved," Taylor said. "I feel I could do a good job, with my work ethic and the things I've accomplished since I've been in charge here down at the union."

HD69: Franke challenging Rep. Lucas

Republican Nancy Franke is challenging State Rep. Jim Lucas in the HD69 primary, citing gun reforms. Franke said she understands the desires of some of the people in the district and Lucas in regard to maintaining the liberties of law-abiding citizens to exercise their constitutionally protected right (Rutherford, Seymour Tribune). "I, too, believe we need to protect our 2nd Amendment rights," Franke (pictured) said. "Indiana already has lax gun regulations, and I believe our current system is working. I would continue supporting proposals allowing



responsible law-abiding citizens the right to bear arms legally in Indiana. This is clearly confirmed in our Constitution. However, we need to be certain safeguards are in place for those who should not be bearing arms, particularly those with mental health problems or who have a history of domestic abuse." Another aspect which has not been discussed by any person involved in this important discussion is the reality of the economic impact HB 1056 would have on the state, said Franke. "We know the license registrations in Indiana have risen exponentially over the past few years," she said. "This means millions and millions of dollars coming in as income for our state. I cannot imagine lawmakers who are concerned about the state budget will willingly give up this type of income without an alternative to supplement." HB 1056 would eliminate the requirement that gun owners be licensed.

Wednesday candidate filings:

Republican: U.S. Rep. Larry Bucshon CD8, Jim Pressel HD20, State Rep. Lloyd Arnold HD74. **Democrat:** Ryan Scott Davis HD32. ❖

Not embracing the Trump inevitability

By **LARRY J. SABATO, KYLE KONDIK**
and **GEOFFREY SKELLEY**
The Crystal Ball

CHARLOTTESVILLE, Va. – What is there to add about Donald Trump that has not already been said? The political world has moved from disbelieving that he would even follow through and become a candidate, to expecting him to wither on the vine as more conventional choices gained steam, to accepting his nomination as a distinct possibility, to speculating that he will go all the way and defeat Hillary Clinton in November.

It's Trump, Trump, Trump with all of us who focus on elections. Sam Wang of Princeton University studied recent primary polling and argued that Trump seems like a clear frontrunner by the standards set in recent nomination battles. Alex Castellanos, an unaffiliated veteran Republican pollster, wrote over the weekend that he could see Trump winning the primary and the general.

Longtime political analyst Norm Ornstein took a deep dive and tracked the roots of Trumpism, while National Journal's Ron Brownstein noted a "Trump gap," whereupon Trump's image among Republicans is improving even while he remains deeply unpopular with non-Republicans. Charlie Cook of the Cook Political Report suggests that maybe political observers, particularly those on television, are exaggerating Trump's chances.

The Crystal Ball completely concedes that when the history of 2016 is written, the Trump phenomenon will dominate the story, almost regardless of the name of the eventual winner. And like our journalistic and analytical brethren, we underestimated Trump's ability to fit the moment and shrewdly play politics with the best of them. However, we haven't yet embraced the "Trump inevitability" theories for either the GOP nomination or the White House. Here is why we are such persistent stick-in-the-muds and party poopers:

- We still do not know the actual size of the Trump army. National polls suggest that 35% or more of Republicans back Trump. If that's true, he's well-positioned to win at least some states. Yet his levels of support in Iowa, especially, and New Hampshire are noticeably weaker, averaging between 25% and 30%. If he can't improve on that in the contests following the initial states, as many candidates drop out, the Trump bubble could burst.

- Trump also needs to prove that he can turn out his supporters. This is especially an issue in caucus states like Iowa, where a recent NBC News/Wall Street Journal/Marist Poll found that Trump led by two percent-

age points in the potential GOP electorate but trailed Ted Cruz by four points among likely caucus-goers. Whether Trump can get his supporters to actually show up to a complex electioneering event on a cold winter's night is a question we cannot answer until the voting begins. It perhaps should be noted that chilly climes haven't stopped thousands from waiting for hours in long lines to see Trump. But can he actualize that support?

- Iowa is not a strong leadoff state for Trump because it has a heavily evangelical, socially conservative electorate. Cruz, who stresses the issues that appeal most to evangelicals, has a profile similar to many past winners. The Texan's continued strength in Iowa explains why Trump has been questioning Cruz's constitutional eligibility for the presidency (Cruz was born in Canada to an American mother). The new Des Moines Register/Bloomberg Iowa Poll shows Cruz still leading Trump, but down six points from the survey's December 2015 findings. One has to wonder whether Trump's attack on Cruz's eligibility to be president -- an unfounded charge rejected by most constitutional experts -- is hurting Cruz's numbers.

- Despite surveys that show Trump's supporters will stick with him to a greater degree than some other contenders' backers, we suspect that a large portion of the primary electorate across the country is still quite fluid.

- New Hampshire is better for Trump, and he is the substantial favorite there at the moment. While he's only polling at around 30% in most polls, there is a glut of establishment-preferred candidates there who are stuck in Granite, so to speak. Jeb Bush, Chris Christie, and John Kasich are all at about 10% in most polls as they try to replicate John McCain and Mitt Romney's path to the nomination. Rubio, increasingly lumped in with that group despite a less insider-flavored history, gets another 10%+ of support. So does Cruz: His evangelical fervor does not play as well in a state that's much more secular than Iowa, but a victory in the Hawkeye State could give him a decent lift in New Hampshire. Should Trump fail to win Iowa, it's difficult to say how that might impact the race. Such a result could weaken him in New Hampshire, boosting others in his stead. As Crystal Ball friend Al Tuchfarber recently reminded us, Trump tends to be weaker on the "second choice" question than some of his competitors.

- As such, even if Trump wins New Hampshire, the person who eventually wins the nomination may be either Cruz or the establishment candidate that finishes closest to Trump and ahead of the several others in that category. After Iowa and New Hampshire, this 12-person field could and should be reduced to three or four contenders, allowing an anti-Trump (and anti-Cruz) to emerge. As of this writing, Rubio seems the likeliest person to take on both of those mantles, but it could be someone else, which is what Bush, Christie, and Kasich are banking on. ❖



Truck association backing GOP road plan

By MAUREEN HAYDEN
CNHI Statehouse Bureau

INDIANAPOLIS – In a state known as the “Crossroads of America,” the number of overweight trucks has tripled in less than a decade, accelerating damage to aging roads and bridges.



More than 380,000 trucks that exceed federal weight and size standards were permitted to travel in Indiana last year, up from about 135,000 in 2007. Those numbers are part of the reason why some lawmakers want the

trucking industry to pay more for infrastructure. Under a plan proposed Monday by House Republican leaders, private carriers would pay about 7 percent more for diesel fuel — in taxes and a surcharge — than what they pay now.

The measure is getting surprising support from the Indiana Motor Truck Association, which represents truckers who carry goods from about 80 percent of Indiana manufacturers. “We’ve been saying at the federal and state level that we need to raise taxes on fuel and fix the roads,” said Gary Langston, association president. “We’ve been saying that for a long time. “Bad roads and congested highways cost us money,” he said.

The House Republican plan would automatically adjust the state’s fuel tax for inflation, resulting this year in a 4-cent hike on a gallon of gasoline for all motorists, including truckers who use diesel fuel. It also raises the motor-carrier surcharge, paid quarterly by trucking companies, by another 3 cents per gallon. Those increases combined are expected to raise \$60 million a year for road and bridge repair. It’s just a fraction of the \$1 billion needed in for infrastructure, but supporters say it will make a dent.

Cig tax could cost stateline retailers

Cheaper cigarettes are the lure for people in Illinois who cross the Wabash River to visit the Smoker Friendly tobacco outlets in Terre Haute. But that won’t be the case anymore, there or in other Indiana border cities, if lawmakers hike the state’s tobacco tax by \$1 to pay for road repairs, as House Republicans propose (Hayden, CNHI). Darren Collett says his 28 Smoker Friendly stores will lose big to Illinois and Michigan, which now have higher taxes than Indiana’s. Raising the cigarette tax will extinguish the incentive for out-of-state smokers to cross the border to buy cigarettes, he and other retailers say. Indiana’s current tax of 99.5 cents per pack is 32nd highest in the country, according to the Federation of Tax Administrators. Michigan charges \$2 per pack and Illinois taxes \$1.98. The tax difference adds up for smokers who

buy cartons at a time including John Fenner, a Michigander who drives to the Olde Tobacco Road cigarette outlet in Middlebury, 200 yards from the state line, for Kool Milds. Fenner said he’s resigned to a tax increase. “Taxes are taxes, they are going to do it regardless if we care or not,” he said. Nearly doubling Indiana’s tax, as some lawmakers want to do, would give the state the country’s 17th highest cigarette tax. It would be well above the \$1.25 per pack tax in Ohio, for example. Kentucky, which has one of the lowest tax rates in the country, charges just 60 cents per pack. “I know wholesalers in Kentucky who are having a record year,” Collett said. “It’s just going to get better for them if Indiana raises the tax.” Hiking the tax here will put the average price of a carton of cigarettes close to \$70. A carton of cigarettes in Kentucky is about \$56.

Soliday calls Pence road plan ‘a gamble’

A key Republican leader on transportation issues dismissed Gov. Mike Pence’s short-term plan to rebuild the state’s infrastructure as a “gamble” that would not provide a steady stream of funding to maintain deteriorating roads and bridges (Slodysko, Associated Press). House Roads committee Chairman Ed Soliday said Wednesday that the Republican governor’s proposal relies heavily on state budget reserves for funding. That means that if lawmakers in the future do not set aside enough money, a provision to release the excess dollars for roads funding will not be triggered, which could lead to wild swings in the amount of money that is available, he said. “You have no idea what it’s going to be,” said Soliday, of Valparaiso, “That’s totally dependent on revenue and the budget. So it could be zero. It could be a lot.” The condition of Indiana’s crumbling roads has emerged as a major issue not only for lawmakers, but also on the campaign trail. There is a major division among majority Republicans over how to handle the funding, with Pence and the Senate leaders signaling they are at odds with their counterparts in the House, who seek to raise taxes to provide a long-term solution. Pence, on the other hand, has proposed borrowing \$240 million while drawing \$241 million from the state’s budget reserves to boost short-term roads spending in 2017. Micah Vincent, director of the state’s Office of Management and Budget, said Pence’s plan does not aim to address long-term needs. A bill backed by Pence in the Senate would allow the state draw down its reserve accounts for roads funding in the future, but Vincent said the governor only needs that authority in 2017 to make his \$1 billion spending proposal work. “If there’s money in the reserves in a future year then that’s fantastic. But that is not money we are counting on to get to our \$1 billion,” Vincent said.

Concerns about handgun bill

A proposal to lift Indiana’s restrictions on alcohol offenders obtaining handgun licenses would remove one means of protecting victims, an advocate for domestic violence victims told state lawmakers Wednesday (Davies,

Associated Press). The state Senate Judiciary Committee heard testimony on a bill that would change a law that prohibits people with certain alcohol-related offenses within three years from getting a handgun license, which is required to carry the weapons in public in most circumstances. Indiana Coalition Against Domestic Violence lobbyist Kathy Williams told the committee that most police calls for domestic violence involve alcohol abuse. "The combination of alcohol and access to handguns is a lethal combination in situations of domestic abuse," she said. "Given the very mild nature of the existing statute, it is only a small stop gap." Republican Sen. Jim Tomes of Wadesville, who is sponsoring the bill, said federal law prohibits anyone with felony convictions from obtaining a handgun license, but a license isn't required to buy a gun. Under current state law, a person is deemed an "alcohol abuser" if they have two or more alcohol-related offenses, at least one of which resulted in a conviction or treatment in an alcohol abuse facility within the past three years. Tomes said he didn't believe misdemeanor alcohol cases should bar someone from being licensed to carry a handgun and that repeated offenses often result in felony charges, such as a second drunken-driving arrest. "When I think of alcohol abuser, I think about some guy who's a slobbering drunk who beats up his spouse all the time," he said. "There are cases where we're tying up good people."

Behning to seek ISTEP rescore

The top Republican on education issues in the Indiana House has filed legislation to require the state to rescore the 2015 ISTEP amid concerns about possible scoring errors on the test (IndyStar). Gov. Mike Pence and other high-ranking Republicans called for a third party to rescore the test after an IndyStar investigation raised questions about a computer glitch that might have inadvertently changed scores on test questions. State Rep. Bob Behning's bill offers new insight into how the state could carry out rescoring the high-stakes test that about 500,000 students in Grades 3-8 took last spring. Republicans have argued that the rescore is necessary to ensure the accuracy of the test results. The 2015 test will serve as a baseline to measure student academic performance in future years. It marked the first time students were tested on the state's more rigorous academic standards. "I met with four superintendents today," Behning, an Indianapolis Republican, said Wednesday, "and all of them are like, 'Yes, we need a rescore.' So I think the field wants a rescore." Under Behning's proposal, the Indiana Department of Education would enter into an agreement with a third party to rescore the test results..

Bauer bill on college police departments

In the wake of a legal fight that started early last year over records by Notre Dame Security Police, state Rep. B. Patrick Bauer took a strong stand, declaring that records by police departments at private colleges and universities in Indiana should be subject to public disclosure

(South Bend Tribune). "We need to either abolish these private police forces or do what's right," Bauer told The Tribune in April. "Notre Dame shouldn't be hiding behind this. It's worse than silly ... it's just wrong."

Pastors rally for Pence on LGBT

A group of evangelical ministers praised Gov. Mike Pence on Wednesday for saying during his State of the State address that he will protect religious freedom in the debate over civil rights protections for lesbian, gay, bisexual and transgender people (Slodysko, Associated Press). On Wednesday, the Indiana Pastors Alliance rallied at the Statehouse, where members applauded the Republican governor's remarks and vehemently objected to two Senate proposals addressing LGBT rights. Pastor Kevin Baird said he took Pence's speech as "a clear signal that he would be a firewall" against the Senate bills, which he sees as representative of the "incremental strategy of the LGBT movement." "This isn't the end of what they want," Baird said. "They are fully aware that they want transgender bathrooms, they are fully aware that they want to coerce sincere people of faith to capitulate." Meanwhile, Pastor Ron Johnson singled out GOP Senate leader David Long of Fort Wayne, calling him the "source of the problem." Long has said lawmakers need to have a discussion about LGBT rights, though he says Senate Republicans are not under pressure to approve either bill and ought to vote their conscience. After the rally Wednesday, Baird's group delivered petitions to the Senate bearing the signatures of about 2,500 people who object to the proposals on religious grounds. Chris Paulsen, campaign manager for the pro-gay rights group Freedom Indiana, said evangelicals aren't the only people motivated by Pence's speech. "I think our side is also energized by Gov. Pence's speech by wanting to show that Indiana is not a place where discrimination is OK," Paulsen said.

Adoption bill advances

Efforts to open records from Indiana's closed adoptions era – 1941 to 1993 – have failed for years, largely to shield birth mothers who don't want to be contacted. But changes made to this year's version of the bill are already showing signs of changing minds and ensuring the measure's passage (Indiana Public Media). Bedford Republican Senator Brent Steele sought to include more choices for birth mothers in this year's adoption records legislation. Instead of just choosing whether to allow or deny contact, mothers can release only medical records to their children or allow contact through an intermediary. Advocates such as Ryan Griffith hope it's the formula that will lead to passage. Griffith, with his adoptive mother nearby, says opening the records is about children wanting to know who they are. "On Mother's Day, I give that woman a Mother's Day card," Griffith said. "But in the back of my head – who is my mother? What is my heritage? I don't know that." ❖

Shame gun safety has become partisan

By JACK COLWELL

SOUTH BEND – What a shame that gun safety has become such a partisan political issue, with stalemate. The politics of it means we don't even keep people on terrorist no-fly lists from freely buying guns.

This is hard to understand. This is the politics of deadlock. This is lobbying overriding common sense.

Most Republican politicians at the national level, including the party's presidential contenders and virtually all GOP members of Congress, oppose any proposed restrictions, even rejecting background checks for gun purchases on the internet and at gun shows, where terrorists, criminals and weapons buyers for gangs can obtain arsenals easily.



Many Democrats, including some who have not exactly been courageous on the issue, now denounce Republicans on this. You'd think from the Democratic outrage that all Republicans don't care

if assault rifles obtained by shooters avoiding background checks are used in school shootings or terrorist strikes. Wrong. Most Republicans do care.

The most recent Quinnipiac poll shows that 87 percent of Republicans favor background checks for internet and gun show purchases, only a slightly lower percentage than for Democrats. Republicans are just as sad as Democrats over little kids killed at Sandy Hook and innocent victims gunned down by terrorists in San Bernardino. There is overwhelming national support for sensible background checks, among members of both parties and also among gun owners.

Alas, national public opinion doesn't determine national policy on gun safety. Opposition from Republicans in Congress and on the presidential campaign trail comes in large part because modest proposals, in no way threatening 2nd Amendment rights of lawful gun buyers, come now from President Obama.

They dislike Obama. They respond with instant reflex opposition to anything this president does or proposes. Did his style fuel some of this bitterness? Sure. Bitterness is there, a fact, bringing stalemate on many issues where compromise solutions would best serve the nation. Republican presidential contenders pledge to rescind Obama's executive action to tighten background checks.

So, a Republican president would on day one expand loopholes to let terrorists, criminals and the mentally impaired have a better opportunity to get guns? They are

cheered at partisan rallies when they say, in effect, just that. The cheers aren't for more killings. Many of those cheering no doubt are among the 87 percent of Republicans favoring effective background checks. But partisans at Republican rallies in Iowa and New Hampshire don't want any background checks proposed by Obama, effective or not.

The gun lobby, ever pushing effectively to boost gun sales and profits, gained a firm hold on Congress long before Obama. Now, it's tighter, a stranglehold that wasn't as firm when Presidents Ronald Reagan and George W. Bush won some sensible controls. The gun lobby has been effective, especially in congressional elections, with money and messages to NRA members, in gaining a balance of power in a lot of close races. By the way, not all NRA members agree with all lobbying of the organization's leaders in Washington. Polls clearly show that, too.

Still, Republican members of Congress, getting the most gun lobby support, show gratitude with solid opposition to gun safety proposals that could diminish gun sales and profits. Democrats, fearing gun lobby opposition, often cower, pledging that they too wouldn't go against what the gun lobby wants.

Fear reigns. The gun lobby tells Americans: Be afraid that using no-fly terrorist lists in background checks will lead to destruction of the 2nd Amendment. Be afraid that tightening background checks is part of a plot by Obama to confiscate all the guns. Be afraid that restricting widespread, wide-open gun sales to everyone will leave more folks unable to shoot it out with terrorists, mass murderers and police forces plotting dictatorship.

We should instead be afraid of what happens when the terrorists and mass murderers can slip arsenals so easily through loopholes that could be closed – would be closed – if gun safety had not become such a partisan political issue. ❖

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



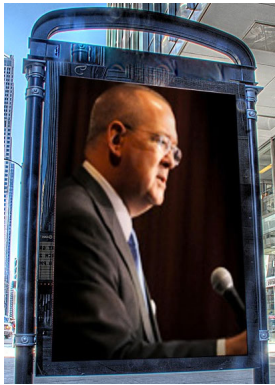
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Cures for troubled local finance

By **MICHAEL HICKS**

MUNCIE – Few, if any, thoughtful observers of Indiana government would conclude that the current local tax system is sufficient to meet the needs of the 21st century. The tax and spending innovations of the past decade have dramatically improved the prospects of the Indiana economy. However, a half-century of bad investment has left many cities and towns in such a sorry state that they cannot attract nor retain young families with options, much less offer them quality schools, decent neighborhoods and safe streets even if they stayed. This is a painful thing to write, but the relative or absolute population decline in 80 out of 92 Hoosier counties is stark testament to this difficult truth.



Many men and women in local government, whose judgement I respect, argue that they desperately need more tax revenues. For many places this is likely true, and it is probable that many voters share this belief. Indeed, it is certain that in many communities, local tax referendums would result in more money for schools, roads and quality of place improvements.

There are many examples of fiscally conservative voters in other states supporting more funding for local schools, parks and roads. And, in the coming years, I hope the legislature will allow more fiscal flexibility for local governments. Indiana's taxpayers ought to have more of a direct say in local taxes. But it is a mistake to suppose that most local governments have learned the lessons from the crisis that brought us property tax caps. Before the legislature gives local government more revenue options, local government needs to do its part to streamline and modernize. There are three necessary steps to a better system.

First, we must eliminate most local governments. We must close townships, allowing counties to absorb their fire and cemetery maintenance duties. We must consolidate 100 or more school corporations – those with fewer than 2,000 students and exhibiting long-term decline. We need to shift all library systems and county-wide special districts to county government. This would free up perhaps a \$1 billion in the first year, and \$600 million per year after that. That is equivalent to more than a 10 percent increase in local tax revenues.

Second, local governments need to privatize significant services from trash collection to road maintenance. This would remove perhaps another \$400 million from the tax rolls.

Finally, local government simply must get better at

management. Many shrinking Hoosier cities have the same number of firefighters they did in 1960, but no one with the accounting skills to manage a budget, or really understand TIF and tax abatements. None of these changes would reduce the quality of public services, but they would free up \$1 billion in wasted local spending, more than 15 cents on every tax dollar.

In a better world, Hoosier voters would choose their own tax rates for local government and local governments would manage their own affairs. But, until mayors and county commissions push for real change, local home rule will surely remain a distant dream. ❖

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.

Retirement, deaths hit The Region

By **RICH JAMES**

MERRILLVILLE – It's not been the best of times the last few weeks for Northwest Indiana, particularly the city of Gary.

On the political front, there have been deaths and planned retirements. And the region also lost a retired journalist with the passing of Bill Nangle, editor emeritus of the Times of Northwest Indiana. Nangle, who retired about a year ago, spent almost 45 years with the Times and played a key role in uniting Northwest Indiana's many communities. He is a member of the Indiana Journalism Hall of Fame.



There were losses in the ranks of those whom Nangle and his staff reported on over the years. Perhaps the biggest shock came with the announcement of the death of Lake County Commissioner Roosevelt Allen, 68, who died in his sleep at his Gary home. He had not been ill. Allen joined the Board of Commissioners in 2006, replacing Rudy Clay, who was elected Gary mayor.

Allen was one of the most respected elected officials in Northwest Indiana, a voice of reason when it came to critical issues. He is credited with uniting the county's many municipalities to form a virtually unified E-911 system. Allen was a voice of reason and was

respected for his vision for all of Lake County, not just the district he represented.

Gary also lost a former elected official with the passing of Marilyn Krusas, who served as a city council-woman from 2000 until she resigned in April 2013. She stepped down when she was charged with failing to file income tax returns and failing to pay taxes on an inheritance of \$232,000. Krusas, who represented the Miller Beach section of Gary, died of cancer, according to her attorney former Gary Mayor Scott King.

The city of Gary also will be losing State Sen. Earline Rogers, who has announced that she won't seek reelection this year. Rogers, 81, served eight years in the House before being elected to the Senate in 1990. Much like Allen, Rogers is looked upon as a voice of reason when it comes to critical issues. Although she has spent virtually her entire legislative career in the minority, she gained

a reputation of being able to work with both sides of the aisle.

Rogers is regarded as the mother of casino gambling in Indiana. She carried the legislation that created the state's 11 casino boats, including two in her native Gary. Rogers, too, was a key player in the creation of the Northwest Indiana Regional Development Authority that was signed into law by then-Gov. Mitch Daniels. With the creation of the RDA came a 10-year state commitment of \$100 million.

Much of the money has been spent on expansion of the Gary/Chicago International Airport and reclamation of land along the Lake Michigan shoreline. ❖

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.

Job gains looking good

By **MORTON MARCUS**

INDIANAPOLIS – “Was 2015 the best year ever for employment in Indiana?” That was the question asked by Don Doom as his wife, Doris, put the kids, Didn't, Don't and Dam'it, to bed. “First,” I replied, “we need to have the December employment figures. Second, what do we mean by employment?”

“What are you talking about?” Don demanded.

“Sorry, but that's the way it is,” I said. “The U.S.



Bureau of Labor Statistics (BLS) takes a survey of larger employers and counts the number of jobs. At the same time, the U.S. Bureau of the Census surveys households and counts the number of persons employed. The numbers will never come out the same. For example, a person may be self-employed and not work for an employer. Or s/he may work part-time in two different jobs.”

“Well, how different are those numbers?” Don asked. “In Indiana,” I recited from memory, “over the past 25 years, the difference has been as high as 203,000 in 1995 and as low as 4,600 in 2012, averaging 93,700 or 3.4 percent. The number employed (Census) always exceeds the number of jobs (BLS).”

“Which leaves me still wondering, was 2015 our best year ever?” Don said.

“I think 2015 will be the highest level in our history for the number of jobs at 3,044,000 which will top our 2000 level of 3,004,000. That would be a gain approaching 64,000 or 2.1 percent over 2014.”

“That would be great,” Don said.

“That would be very good,” I agreed. “Yet, it

would still trail Indiana's annual gains averaging 77,700 made in 1993-95.”

“Well, you're not taking much of a chance forecasting the full year with only the last month missing. By the way, didn't I hear the December U.S. job numbers are all fouled up?” Don asked, changing from the state to the national level. “Seems the seasonal adjustment is way off.”

“You've been reading the statistical underground reports again?” I asked.

“Yeah,” he replied. “David Stockman claims we saw only 11,000 new jobs nationally in December, but the Labor Department reported a gain of 292,000 after seasonally adjusting the numbers. How does 11,000 become 292,000? Is the administration cooking the numbers?”

“There are lots of questions,” I answered, “about how statisticians adjust the data for variations that occur regularly according to the seasons. December was particularly hard to adjust in 2015. The weather was much warmer than usual and on-line retail sales are continuing to disturb the patterns of the past.”

“So the big gain in jobs was a phony to make Obama look good?” Don declared.

“No,” I said. “The federal statistical system is probably the least political set of agencies you can find anywhere. The December numbers are just preliminary. The data will be revised as more firms report and the seasonal factors are updated.”

“When do all these revisions stop?” Don asked.

“I know,” I sympathized. “We're dealing with economics, not the weather, where the temperature in New Castle at 3 p.m. yesterday does not get revised.” ❖

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

Rush cautions on drugs, jail

INDIANAPOLIS - Legislators' call for action against rising drug abuse is drawing a cautionary note from Indiana's chief justice (Berman, WIBC). House Republicans have called for longer sentences for meth dealing as part of a broader anti-drug abuse agenda. In her State of the Judiciary address, Loretta Rush praised Indiana's expansion of so-called "problem solving" courts in helping addicts get clean instead of sending them to jail. She says the drug crisis is visible in courtrooms which are flooded with heroin and meth cases, but says the state "cannot afford to incarcerate or institutionalize our way out." Rush says the problem-solving courts -- including not only drug courts, but family, mental health, and veterans' courts -- are "one of our judiciary's greatest success stories." She says one program, the Juvenile Detention Alternatives Initiative, has reduced repeat offenders while saving the state 15-million dollars a year.



Anderson mayor's son city attorney

ANDERSON - The hiring of Evan Broderick as an assistant Anderson city attorney falls into agray area of the state and city's nepotism laws because no court has addressed the issue (Anderson Herald-Bulletin). Broderick, the son of Mayor Thomas Broderick Jr., was appointed an assistant to City Attorney Tim Lanane. He joins Paul Podlejski as an assistant city attorney, which is a salaried part-time position.

Sheriff's son resigns IMPD after charges

INDIANAPOLIS - Nikolas Layton has resigned from the Indianapolis

Metropolitan Police Department, the department announced Wednesday (IndyStar). Layton submitted his resignation Tuesday night, an IMPD press release said. A cocaine conspiracy case against the police officer son of Marion County Sheriff John Layton could be handled by an out-of-county prosecutor because of the man's family connections

Vote centers coming to Howard County

KOKOMO - For years, Howard County's Democratic and Republican parties have quarreled over the specifics of vote centers, strongly disagreeing on issues like location proposals and the necessary number of centers (Kokomo Tribune). It now appears, however, that the two sides have reached a compromise, one that could bring 15 vote centers to Howard County and an extensive number of early voting opportunities by the 2016 election. With the formation of the Vote Center Steering Committee last year, officials began to recognize the increased likelihood of vote centers in Howard County, especially with the committee's apparent bipartisan efforts on what has previously been a partisan issue. And with recent decisions by committee members on the number of vote centers and the dates and times of early voting, a new Election Day process is on the verge of reality. "Indiana has very restrictive voting guidelines, and people will have many more opportunities to vote once we implement vote centers," said Howard County Democratic Party Chairman David Tharp, a steering committee member. "This will open up the process to help people vote and will make it all a little more consistent."

New election for Mitchell mayor?

BEDFORD — No one is denying that mistakes were made in the 2015 municipal election process. But

the intent behind those mistakes could mean a special election will be held later this year to determine Mitchell's mayor (Bloomington Herald-Times). Currently, John "JD" England holds the office because he beat Dan Terrell in November by four votes. Attorneys David Brooks and William H. Mullis, representing Terrell, believe the mistakes "undermine the outcome of the election." "We believe a special election is the only remedy ...," Brooks said during a hearing on the matter Wednesday in Lawrence Circuit Court. However, Cody Kendall and David Smith, representing England, stated mistakes do not necessarily mean there was malconduct. The attorneys said there needs to be proof there was intent to mar the election in order for a special election to take place. "These are inadvertent mistakes and nothing more," Kendall said

NFL Combine will stay in Indy

INDIANAPOLIS — Indianapolis has hosted the NFL Scouting Combine for nearly 30 years, and it will continue to be in the Circle City, if organizers are to be believed (WRTV). Combine organizers were working to quiet reports Wednesday that the event might soon follow the new Los Angeles Rams to Southern California. Visit Indy says the event brings about \$8.2 million to the city of Indianapolis each year. And Combine organizers say they're on the tail-end of contract negotiations to keep the event in Indianapolis through 2020. The contract could be finalized as soon as next week, they said. "The event generates international media exposure in support of marketing Indy," said Visit Indy's Chris Gahl. "We are working on an agreement to keep them here well into the future." Officials with NFL Scouting Inc. out of Indianapolis say one of the biggest components to the Combine is medical testing. They currently partner with IU Health, and say they have no intention of severing those ties anytime soon.