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Rudy is Steury line in CD 02

Walorski family pick cruises to old, new district ballot nod

The two big winners from Saturday's CD 02 caucus to select a replacement for the late Rep. Jackie Walorski (R): her husband, Dean Swihart, and the family's anointed successor, Rudy Yakym III (R).

Swihart turned down entreaties to allow himself to fill the remainder of her term and the first two years in the newly drawn CD 02. He made it clear early on that he would weigh in on whom he felt would best carry on the Walorski legacy, and he enthusiastically endorsed business executive Yakym, Walorski's first finance chair and a gubernatorial appointee to the Indiana Finance Authority and Judicial Nominating Commission.

The competition was stiff. 14 candidates filed in the quick turnaround pair of caucuses (one for nomination to remainder of the term in the old CD 02 seat in the special election; the other for filling the ballot vacancy in the new CD 02), but only 12 filed the proper paperwork to go to the gate.

Among the district's dozen were only four candidates who stood a chance: Yakym (not quite the underdog portrayed in the Notre Dame football movie, but . . .), former attorney general Curtis Hill (R), Rep. Curtis Nisly (R), and former Rep. Christy Stutzman (R).

Hill was considered by many as the favorite. A staunch conservative, he was once the state's top vote-getter, and was seen by some in the North Central Indiana Republican base as unfairly hounded from office over Sine Die party sexual harassment complaints.

Rep. Nisly, who lost his primary bid after being cast into a district with another incumbent backed by his caucus, was fresh off bragging rights for the success of permitless carry legislation in the regular session and the abortion ban in special session, both causes he had championed for his entire legislative tenure. Because of the withdrawal deadline, he was the only incumbent lawmaker to run.

Former Rep. Stutzman was the first lawmaker to trumpet a transgender girls sports ban, and had been cast as a pioneer in the anti-Holcomb Administration pandemic lockdown when she resigned her legislative seat ostensibly to help buoy a family business.

As expected, this was decidedly a deeply conservative, anti-establishment group of committeepersons that was far more a Trump than Holcomb crowd.

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The atmospherics meant Yakym, as a business executive with ties to Governor Eric Holcomb (R) and the regular party, had to walk a delicate line, while none of the others had to trouble themselves with such niceties (Governor Holcomb assiduously avoided any hint of an endorsement or preference for any caucus candidate).

Here's the list of contestants:

- Rudolph Yakym III, Granger
- Scott Wise, Columbia City
- Christy Stutzman, Middlebury
- Curt Nisly, Milford
- Marvin Layne, South Bend
- Daniel Koors, North Manchester
- Tiernan Kane, South Bend
- Scott Huffman, Plymouth
- Michael Hogberg, Lakeville
- Curtis Hill Jr., Elkhart
- Terry Harper III, Granger
- Dallas Barkman, Albion

The event kicked off with one of the eight unknown candidates, who had no chance of getting much into the double digits, railing against “fake news” and the media, not making much sense (while talking more about where he lived rather than how his residence was listed on the GOP’s candidate roster) and offering little in the way of a platform. He was unable to even muster an introduction by another, the first of many ostensible congressional hopefuls who seemed to be auditioning for, perhaps, an opportunity to later run for a township advisory board or maybe even hit the big time and run for town council or county commissioner.

Some of the candidates offered veiled rhetoric directed at Hill (and, to a lesser extent, Stutzman) by suggesting that they were candidates of honesty, integrity, and “free of scandal.” Some of the comments were so obsequious that they would have been out of place in any other caucus.

Hill, as you would expect, was undeterred by the open discussion of his well-documented past problems. In his first interview after declaring, he chose to speak to an Indianapolis TV reporter who didn’t even live in the state when he was AG. Hill correctly predicted to WISH-TV’s Garrett Bergquist, “I’m sure someone is going to bring up all sorts of old business.” “But, that’s old news,” Hill tells Bergquist of the incident and response that temporarily cost him his law license. “Folks in this district need someone who is a fighter, who can take the heat. If there is one thing I’ve proven over the years is I can take a licking.”

Hill was the first real contestant with a chance to speak, and he was introduced by Ashley Leader of Granger (note that he chose a woman for this task). She suggested that this was no time for learning on the job, a knock on all of the non-

officeholders, asserting that “Washington is on fire, and our next leader needs to be battle-ready” – and someone not connected to “the establishment.”

Hill reminded the caucus that he’s a proven fighter, saying “a real warrior is covered by the blood of valor,” starting the red meat talk with the mention of blood. He described how he had been made “stronger by fire” – standing against his party on same-sex marriage issues, health departments, and government shutting down churches, and was the sole public official to do something about the South Bend abortionist’s legacy of abandoned aborted fetuses.

The “objective truth” is under attack by the left, he declared, who wanted conservatives to shut up while they shut down freedom with their “cancel culture” They’ve weaponized race and compromised justice, the state’s former top legal officer complained.

Hill, who was defeated for renomination in the mail ballot convention race of 2020 (though he led the first ballot in the ranked-choice voting), told caucus participants that in 2016 he had received more votes than “anyone in this state’s history,” which “makes me a real threat.” I am a threat to powerbrokers, he said, because “I’m fighting for you” and against the indoctrination of children and “catch and release” policies. “Send me to Washington to protect our nation and restore our freedoms and I’ll fight for election integrity, I’ll fight to secure our borders and I’ll even be there to keep an eye on the FBI,” Hill promised.

Former U.S. Rep. Marlin Stutzman (R), who won nomination to state senate and former congressional seats in caucus, rose to introduce his wife, directly addressing criticism we were hearing from some – including Republicans from the area who had served with her during Christy’s brief and self-limited House tenure. “Some call her a quitter. Let me be clear. She’s no quitter,” a typically defiant Marlin told the crowd. Rather, “She’s a principled fighter who chose people over politics. She will not embarrass you in D.C. and she will never go swampy,” her husband promised.

Rep. Nisly was hurt by the timing of his announcement, which came too close to services for Rep. Walorski for the taste of some key GOP leaders in the area. His speech focused on limiting funding of the federal government to only the specific responsibilities detailed in the Constitution.

In her Elkhart announcement speech, Christy Stutzman also emphasized the need to avoid on-the-job training. “We need someone who can hit the ground running,” she said. “I know the players, you know. I know who is friend and foe, and I’m willing to be able to go up there and network and make a difference for this district, and that’s what we need right now.”

Yakym, who is close to U.S. Sen. Todd Young (R), was the beneficiary of more than just a token early week written endorsement from Dean Swihart. In that missive, Swihart told the district in part: “Rudy has spent years working in public service alongside my beloved wife and will fight for our district to protect our faith, families and communities. Rudy is a political outsider who has what it takes to stand up to the Pelosi-Biden agenda. He will fight to do the right thing, just as Jackie did every day of her career.”

Swihart introduced Yakym as a “pro-Trump, pro-life and a Christian family man” who was best-suited to carry the Walorski torch and help cement her legacy. “I want to be clear with you,” Swihart explained. “I don’t take this endorsement lightly at all. Rudy and I had a brutally honest conversation about what it would mean to continue the work that Jackie did in D.C. That’s not backing down from a fight, that’s never losing sight of your principles and beliefs, and that’s always putting the people of the Second District first.” Jackie’s mother also reiterated the family’s faith in Yakym. Key legislative backing came from Rep. Tim Wesco (R) and Sen. Andy Zay (R).

“Jackie was a friend to all of us, and she was a friend to me,” Yakym told the caucus, many of whose members were unfamiliar with him, but who trusted Swihart’s judgment. “What she taught us is true now, more than ever: our faith matters and it drives our decision-making,” he continued. Turning to address Swihart, he told him, “Dean, you have my word, I will work every day to honor Jackie’s legacy and to make you proud.” His first priority in such a crusade: “destroy the Biden-Pelosi agenda and take back our country” from the Democrats’ “America Last” agenda. He also reiterated a long-time Republican Party principle that Democrats have turned back on them in the post-*Dobbs* rush toward abortion regulation: “Let me be clear, it is never OK for the government to come in and dictate how we live our lives,” Yakym adds.

While most had expected a long day of multiple balloting as the dozen hopefuls sought to muster a majority of the 373 precinct officials in the two different races up for caucus selection, the event ended quickly, taking not even three hours from the call to order to the final decision to nominate the 38-year-old Yakym by acclamation for the special election ballot vacancy after he won the general election nod.

Yakym tallied 55% of the vote (205 votes) on the only ballot. No one else even registered one-half of his vote total. Hill was second with 87 votes, and no one even reached one-half of his votes. Rep. Nisly collected 31 votes, Stutzman recorded 27 votes, and Kane, with 11 votes, was the only other hopeful to count a double-digit number of votes.

Yakym now heads into a special and general election against Paul Steury (D) of Goshen, a high school science teacher at the Elkhart Academy. No Goshen resident has apparently been nominated for the seat since in 60 years (and that was a Republican, unsuccessful in a 1962 bid). He’s also reportedly the first Mennonite to be nominated here.

As the year opened, Democrats had finally effectively given up on winning this +23 Republican seat, at least as long as the popular and well-financed Walorski was running, and Steury had no problem securing the unwanted nomination. He must now campaign in not only the new district, but in the parts of the current CD 02 that do not overlap with the new district.

What will the Steury campaign storyline look like? Indiana Democratic Party Chair Mike Schmuhl, a district native who chaired the St. Joseph County Democratic Party, knows the district as well as any Democrat not named “Donnelly,” and his comments Tuesday after the coronation of Steury as the special election nominee offer a peek into what you should see emerge a Demo themes here in the campaign (spoiler alert: abortion rights should not be a topline D issue in CD 02): “With Paul Steury, Democrats have an educator and proven community leader who is ready to fight climate change, create more good-paying jobs, and build a better tomorrow for Hoosiers across Indiana’s Second Congressional District. Paul’s experience is in stark contrast with Rudy Yakym and a modern Republican Party that puts extremism and cozying up to special interests over common sense solutions for hard-working folks. The choice couldn’t be more clear, and it’s why Democrats like Paul Steury will win this November – because they’ll put Hoosiers, not special interests, first.”

Will Henry (L) is also running in both elections. The Army veteran was the 2020 Libertarian Party of Indiana nominee for lieutenant governor.

While Yakym starts from zero in terms of cash, Steury isn’t much further ahead, and any cash lead he might have briefly enjoyed was likely extinguished by week’s end as the full faith and credit of the state party and National Republican Congressional Committee will come to bear on behalf of Yakym. His Republicans United to Defend You PAC (RUDY PAC) leadership political action committee had already hit the ground running Tuesday.

This exercise will be more in the nature of laying the groundwork for a lengthy Yakym tenure than looking to win a race in the short-run.

If elected to fill the current Walorski term, Yakym would join U.S. Rep. Trey Hollingsworth (R) – briefly – as the only two Hoosier members of Congress under the age of 40.

IN Politics

Federal Office Races . . .

- Look for the Indiana Debate Commission to host one U.S. Senate debate – with all three candidates – live in-studio at WFYI in Indianapolis, on Sunday, October 16, from 7:00 p.m. to 8:00 p.m.
- Westfield accountant **Danny Niederberger**, undeterred by his miniscule finish in the 2020 CD 05 Republican primary and his inability to gain ballot access via petition for the 2022 U.S. Senate race (he told the Indiana Election Commission this spring in an appeal that a problem in the Marion County Clerk's Office was all that stood between him and access), will seek the Senate seat as a qualified write-in candidate.
- Hoosier PAC, the leadership political action committee associated with U.S. Sen. **Mike Braun** (R), is hosting an October 7 – 9 “Retreat” in French Lick with room blocks at the West Baden Springs Hotel and golf and skeet shooting (no mention of gambling at the casino, but we suspect a few of the high-rollers will spend some evenings there) on the agenda. The ask: \$5,000 per PAC (\$2,500 personal) for sponsorship, or \$2,500 per PAC (\$1,000 personal) for attendance.

- The Indiana Democratic Party launches a website “telling the truth about **Jennifer-Ruth Green**’s promise to ban all forms of abortion – even in cases of rape, incest, and saving the life of the mother,” making it clear that abortion – in addition to economic concerns related to boosting “working families” – will be the focus of the effort to reelect U.S. Rep. **Frank Mrvan** (D). “Green has made abortion the centerpiece of her campaign, and has gone as far as to say she’s ‘100% pro-life...all the way,’” Demos remind voters.
- The Federal Election Commission issues details on campaign finance reporting for the CD 02 special election:

Report	Reporting Period	Reg./Cert./ Overnight Mailing Deadline	Filing Deadline
Pre-Gen'l	10/01 - 10/22	10/24	10/27
48-Hr.	10/20 - 11/05	N/A	N/A
Post-Gen'l	10/22 - 11/28	12/08	12/08
Year-End	11/29 - 12/31	01/31	01/31

- In CD 03, the Federal Election Commission exercises its prosecutorial discretion and dismisses a complaint filed by **Jorge Fernandez** against **Jim Banks** for Congress, Inc., and **Steve Martin, Jr.**, in his official capacity as treasurer (the Committee); **Thomas W. Kelley**; and Kelley Automotive Group, LLC. The complaint alleged that Kelley made, and the Banks campaign committee knowingly accepted, excessive contributions when he contributed under two different spellings of his name and through his sole proprietorship, Kelley Automotive Group LLC.



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Louis M. Belch



Kimberly S. Williams, MBA



Rachel M. Gibson



Morgan E. Perrill, SHRM-SCP



J. Cameron Carter



Sydney E. Moulton, MPA



Steve M. Wolff, Esq.



Cassie N. Denney

125 West Market, Suite 300, Indianapolis, IN 46204
317-634-5963 | www.thecorydongroup.com

State Office Races . . .

- We were first to tell you about the formation of Frugal Hoosiers for Mitch 2024 (on the Hannah News Service @ HannahNewsIN Twitter feed). The new political action committee “encouraging **Mitch Daniels** to run for Governor in 2024” is the creation of the former governor’s 2003 RV-1 driver, Ben Ledo, and his first campaign comms director, Christine Luther Hurst. Both are Angie’s List alums (where they worked for 2004 Daniels campaign chief **Bill Oesterle**) now at MakeMyMove, an Indianapolis firm connecting remote workers to communities offering relocation benefits.
- A pair of labor organizations team up this week to drop \$20,000 into the campaign coffers of secretary of state hopeful **Destiny Wells** (D).

IN Legislative Races . . .

- Dr. **Alex Choi** (R), the Zionsville Town Council member and Hamilton County native challenging Sen. **J.D. Ford** (R) in SD 29, is up on television with a biographical ad introducing himself to voters outside of Boone County who may not know him.
- Change Research polling for Senate Democrats (08/14-22; 552 LVs; margin of error 4.7 percentage points) suggests Fishers City Councilor **Jocelyn Vare** (D) holds a marginal lead of 41% to 39% – within the margin of error – over Sen. **Kyle Walker** (R), with 19% undecided. Note that the survey was conducted a few days after the high-profile special session ended.

□ The released survey toplines confirm that neither candidate is well-known in the affluent district that includes Geist, with 58% of likely voters having never heard of either candidate. Vare is in her first term as a council member and Walker was caucused-in to his seat, with new district lines slightly different from those in his original district. The survey memo does not detail attitudes or intensity on abortion (as the *Wall Street Journal* observes generally Thursday that “Passion about abortion rights has fueled a stunning turnaround in Democrats’ midterm fortunes”), but “finds Vare’s net favorability among those who have an opinion (net +7) exceeds Walker’s (net -7),” and “Because Vare is outperforming Biden’s margin among likely 2022 voters in the district, Vare and Walker are tied in an environment that voted for Trump. 49% of respondents report voting for Trump in 2020, 46% for Biden. Vare’s +2 margin against Walker exceeds Biden’s -3 margin among these same voters. With more than a third (35%) of her support coming from independent and Republican voters, Vare appeals to those outside the Democratic base.”

- League of Women Voters-sponsored debates in Tippecanoe County that had been set between the candidates in both open seat SD 23 and the HD 26 clash between Rep. **Chris Campbell** (D) and challenger **Fred Duttlinger** (R) are off, with **Dave Bangert’s** Based in Lafayette, Indiana Substack newsletter attributing the cancelations to “wrangling over ... ground rules and format ...”

- Is the HD 39 seat, held by Rep. **Jerry Torr** (R) in play, even after Republicans tried to reinforce it during redistricting, at the partial expense of creating a competitive new district along Carmel’s southern flank? Dynata is conducting some in-depth polling there for some entity or party (largely seeking to interview female registered voters), and it’s almost as tough to discern who that might be (we lean to the House Republican Campaign Committee) as it is to figure out the names of some of the candidates and other officials the foreign call center pollster seeks approval data on. The bottom line in the polling here is that there is lots of interest in how the 2020 presidential candidates and the Governor are viewed, as well as the new Indiana abortion law.

□ In presenting the positives about the candidates, challenger **Mark McNally** (D) is portrayed as a Marine Corps Afghanistan combat veteran who will fight against government intervention against women, while Rep. Torr is framed as someone who has fought to keep crime down, support our schools, and promote a high quality of life in Carmel. Respondents are also asked whether the new abortion law makes them more or less motivated to vote, and what would be their biggest reason for voting against Torr: that he just voted to ban abortion; he’s too extreme on firearms; or that he supported defunding public schools for private school aid.

□ Respondents were also asked what bothered them the most about the new abortion law, including whether it was too much of an encroachment upon the right of women to make decisions; that Indiana’s economy would suffer; that it forces victims of rape and incest to have kids; and that pregnant teens would be forced to carry their kids to term.

IN Mayoral Races . . .

- Former Frankfort Fire Chief **John Kirby** (R) is seeking to become the first firefighter elected mayor in the city . . . Rep. **Ryan Hatfield** (D) writes to supporters at mid-week: “After much thought and consideration, Kendra and I have decided it is not the right time for me or my family to run for or serve as mayor (of Evansville). Thus, I will not be a candidate for mayor in 2023.”

IN Other Political News . . .

- The Indiana Democratic Party launches its eighth statewide tour, the “Hoosier Promise Tour,” starting with a Tuesday, August 25 stop in Posey County. Look for the latest iteration of the effort to educate and energize voters to include some 15 visits across Indiana with various candidates and elected leaders, from its statewide ticket to congressional and General Assembly candidates sharing with voters how they propose solving the kitchen-table issues most important to them – which Democrats say will include “restoring a woman’s right to choose, eliminating textbook fees for students, and legalizing cannabis.”

- **Drew Wenger** resigns his post as Porter County Democratic Party chair . . . **Chris Ramey** succeeds **Mimi Pruett** as Decatur County Democratic Party chair after she stepped down to run for the HD 73 seat . . . **Linda Painter** steps down after nine years as chair of the Knox County Republican Party . . . Centerville Town Councilmember **Gary Holbert** (D) is the new chair of the Wayne County Democratic Party, replacing **Chris Hardie**, who stepped down . . . **Dennis Estok** becomes the new Starke County Democratic Party chair . . .

- Federal Election Commission regulations concerning “Federal Election Activity” (FEA) require that political party committees that conduct FEA must pay for this activity with federally permissible funds or, in some cases, may allocate the costs between federal and Levin funds (a category of funds raised by state, district, and local party committees that may be spent for certain FEAs, Levin funds are donations from sources ordinarily prohibited by federal law but permitted by state law) or pay for them entirely with federal funds. The Federal Election Activity periods for voter identification, get-out-the-vote and generic campaign activities for the CD 02 special general election funds from August 9 through November 8.

- The event hosted by Allen County Republican Party Chair **Steve Shine** always lures the big names, and former vice president **Mike Pence** (R) will be the keynote speaker at the Allen County GOP’s 2022 Reagan Bean Dinner October 12 at the Grand Wayne Center in Fort Wayne.

IN the Outbreak

- A National Vital Statistics Report released this week by the Centers for Disease Control finds that life expectancy at birth declined in every state and Washington, D.C. by an average of 1.8 years from 2019 to 2020, largely due to the Covid-19 pandemic and to increases in “unintentional injuries” – particularly drug overdose deaths. The life expectancy declines range from a 3.0-year drop in New York to an 0.2-year drop in Hawaii. Indiana ranks 41st nationally with a new national life expectancy of 75.0 years. That figure is down two full years

from 2019 when life expectancy in the Hoosier State was 77.0 years. Only New York, D.C., Louisiana, New Jersey, Arizona, Mississippi, New Mexico, Illinois, and Texas post larger over-the-year life expectancy declines than Indiana, according to data from the National Center for Health Statistics, National Vital Statistics System.

- CDC notes that “states with the lowest life expectancy at birth were mostly Southern states (Alabama, Arkansas, Kentucky, Louisiana, Mississippi, South Carolina, Tennessee, and West Virginia) but also included D.C., Indiana, Missouri, New Mexico, Ohio, and Oklahoma.”

- Indiana is 39th in male life expectancy (72.3 years) and 42nd in female life expectancy (77.9 years).

- The U.S. Court of Appeals for the Seventh Circuit affirms a U.S. District Court ruling denying the ability of the Conrad Indianapolis hotel to tap into its commercial property insurance policy from Fireman’s Fund Insurance Company to cover lost business income for the property during the Covid-19 pandemic. *Circle Block Partners, LLC v. Fireman’s Fund Ins. Co.*, No. 21-2459.

- “We recognize that Circle Block was not able to use the Conrad property as it would have preferred,” writes Judge **David Hamilton** of Indiana for the unanimous panel. “But as *Indiana Repertory Theatre* and the overwhelming majority of similar cases under other states’ law have held, a temporary denial of a plaintiff’s preferred use of its property, absent some physical alteration, does not fall within the plain meaning of ‘direct physical loss or damage.’ ” Judge Hamilton adds, observing that the property was permitted to remain open to provide lodging and delivery or carryout food service, and was thus not rendered “completely uninhabitable by the pandemic.”

- As of Tuesday, Indiana ranks 21st nationally (unchanged over the week after placing 16th in the prior two weeks) in the number of Monkeypox (MPV) cases among all states nationally, with our 134 cases up well over half (52.52%) from the prior week.

Date	# Cases	% > Over Week	Nat’l Rank
08/23	134	59.52%	21
08/16	84	9.90%	21
08/09	77	32.76%	16
08/02	58	75.76%	16
07/26	33	200.00%	18
07/19	11		20

- After leading Kentucky, Michigan, and Ohio ending August 9, Ohio and Michigan overtake us in the following two weeks. All continue, however, to trail Illinois, still sixth in the nation at 970 cases (up by 16.73% over the week), according to Centers for Disease Control and Prevention data.

- As of August 23 (based on data as of August 18), the Centers for Disease Control lists only eight Indiana counties as being at “Low Risk” of Covid Infection, a small improvement from six counties in each of the previous two weeks.

- As of Wednesday, Indiana was seeing an average of some 2,145 Covid cases per day reported to health officials in the last week, down over the week for only the second time in nine weeks (though the formal reports do not include cases self-diagnosed via home test kits). Cases have fallen by eight percent from the average two weeks ago. Hospitalizations from Covid at mid-week (792) are also down over the week after early in June topping 500 for the first time since the first week in March. Deaths are down by one percent Thursday after being up by 32% Sunday from two weeks earlier. This is the first week in quite some time in which we can recall all four metrics being down both in Indiana and on a national basis in a given week.

14-Day Rate of Growth: Indiana vs. National (as of 08/24)

	<u>Cases</u>	<u>Hospitalizations</u>	<u>ICU</u>	<u>Deaths</u>
Indiana	(8%)	(1%)	(1%)	(1%)
National	(16%)	(86%)	(5%)	(4%)

- The state surpasses the 1 million mark for confirmed Covid cases in mid-October, and slipped past the 1.5 million threshold in mid-January. Based upon 1,882,527 actual reported positive Covid-19 cases in Indiana as of August 23, and Indiana’s estimated 6,805,985 population, which means that about 27.66% of all Hoosiers have been *formally* diagnosed with Covid (assuming those are all first-time infections). The state finally tops the 25% threshold during the first week of May after the 15% level was surpassed in early November. Home-testing and asymptomatic cases, as you recall, are not being captured in the total, and some estimates suggest that fewer than 10% of all Covid-positive cases now are even formally being reported.

□ Here is your top 10 compilation of Covid cases and deaths by county as of midnight on August 23:

<u>County</u>	<u>Cases</u>	<u>County</u>	<u>Deaths</u>
01 Marion	250,001	01 Marion	2,966
02 Lake	121,534	02 Lake	1,802
03 Allen	113,874	03 Allen	1,178
04 Hamilton	90,928	04 St. Joseph	879
05 St. Joseph	77,962	05 Elkhart	713
06 Vanderburgh	64,619	06 Hamilton	649
07 Elkhart	57,508	07 Madison	635
08 Tippecanoe	56,610	08 Vanderburgh	628
09 Johnson	47,045	09 Johnson	598
10 Hendricks	44,588	10 Porter	553

□ Note that Marion County now counts more than 250,000 total Covid cases as of this week. Only one county reports fewer than 2,000 cases (about four months earlier, the number of counties under 2,000 had been five). The three counties with the lowest current number of cases border three different states. Just as the state’s largest county is home to the greatest number of Covid cases, the state’s smallest county, Ohio County, continues to report the fewest cases, but at 1,603 now.

□ Three of the top five counties in total deaths are on our northern border with Michigan. One (also) borders Illinois, and just one each among the top 10 borders Kentucky or Ohio (and are among the top four counties in population) . . . and this phenomenon has not changed for several months and through each surge.

□ More than two-thirds of all Hoosier counties have now been impacted with a minimum of 100 Covid-19 deaths. Only Ohio County (remaining at 19) continues to count fewer than 20 Covid deaths. Switzerland County holds steady at 20 deaths. The four counties home to the lowest current number of Covid-related deaths all are border counties (as are six of the lowest seven), and they border three different states.

- The official confirmed Covid death count is 23,357 as of Wednesday (24,378, adding in the 1,021 presumptive Covid-19 deaths). The official statewide death count topped 20,000 during the weekend of January 21-23. With a ballpark figure of about 1.037 million Covid-related deaths, Indiana continues to generally account for approximately 2.35% of all such deaths in the country, right about where we have been across recent weeks – and months.

- Through Tuesday, August 23, the Indiana Department of Health identifies 105,582 statewide reinfection cases since September 1, hitting the six-figures for the first time in mid-August. Reinfections are being reported at a rate of about 22.3% of all cases.

- As of August 18, 14 states continue to report more cumulative child Covid-19 cases than Indiana (vs. 16 states in the prior week and 17 states five weeks earlier), according to data collected by the American Academy of Pediatrics and the Children’s Hospital Association. Indiana records 351,925 such cases (ages 0-19) across the length of the pandemic (up by 2,595, a smaller jump than we’ve seen recently among the preceding eight weeks of growth), after topping 200,000 for the first time with the numbers as of December 2, jumping over 250,000 in fewer than another six weeks, first exceeding 300,000 in the final week of January, and above 325,000 in the final week of February before settling down at a much less frenetic pace since then.

□ Children comprise 18.8% of all Indiana Covid cases (down after holding steady over the preceding three weeks, and down from 19.4% in early May), but the number continues to hover above the national 18.4% average (holding steady for two straight weeks after a slight drop), with 20,051.8 cases per 100,000 children, the first time above the 20K hurdle.

• The Indiana Department of Health reports that as of August 23, 3,817,782 Hoosiers (56.09%) have been “fully vaccinated” under the original two-shot definition. As of March 23, the state finally attained a 20% full vaccination rate among those ages 5-11. IDOH now considers 4,166,439 Hoosiers to be partially vaccinated.

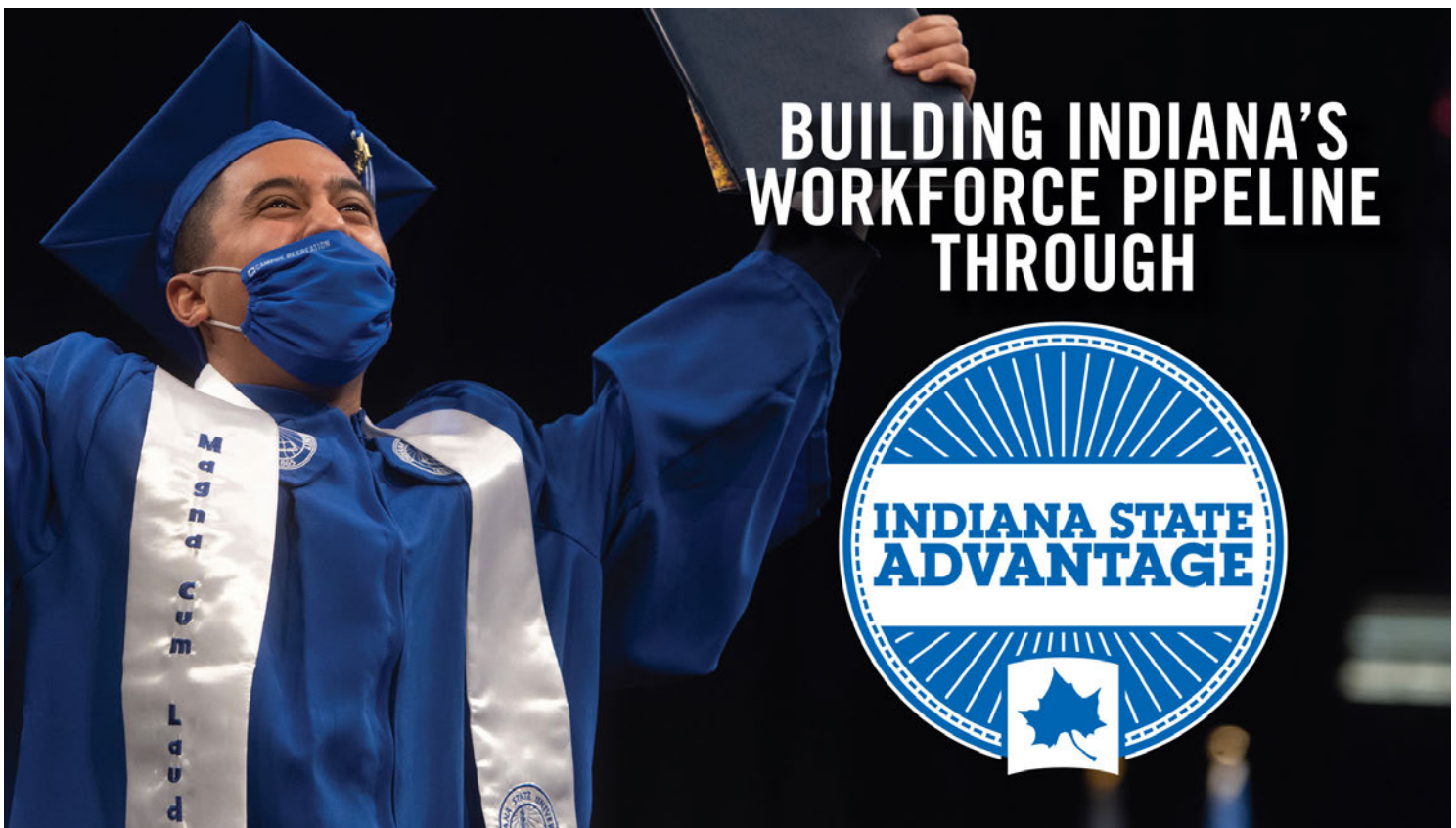
□ Here are overall vaccination demographic percentages for those Hoosiers fully vaccinated, with new Indiana Department of Health collapsed age demographic categories replacing the more detailed data that we had been providing you through April:

<u>Ages</u>	<u>% of Age Demo.</u>
80+	79.8%
70 - 79	86.3%
60 - 69	79.5%
50 - 59	67.4%
40 - 49	60.6%
30 - 39	54.6%
20 - 29	47.6%
18 - 19	51.8%
12 - 17	44.6%
5 - 11	22.3%
0 - 5	00.7%

□ The Indiana Department of Health counts initial booster uptake in Indiana at 1,961,502 doses as of close of business Tuesday . . . with these injections now again outpacing other doses on a daily basis (perhaps due to the recent guidelines on a second booster shot) after the popularity had significantly tapered off by March. IDOH reports that another 388,254 Hoosiers have received their second booster rounds.

• Indiana’s vaccination rate for long-term care facility current residents is 86.31% (vs. 87.40% nationally) as of August 23 with data through August 7, a percentage which improves to 35th nationally. However, even as we finally passed the two-thirds mark headed into Thanksgiving week 2021, only 81.40% of current long-term care facility staff currently choose to be completely vaccinated (remaining above 80%, but well short of the steady 87.0% national average), down marginally over prior-week levels, but maintaining us in 41st place among all states nationally.

□ From January 18, 2021, through August 9, there have been 439,977 Covid cases in Indiana classified as “breakthrough” infections. The state has suffered 2,805 breakthrough deaths, with 85.8% of those occurring among Hoosiers 65 or older, and the average age of breakthrough deaths remaining at 78 years old (the mode is found in the 50-59 age demographic, but there is not much difference in the numbers from this group and the age cohorts ranging between 30 - 39 and 40 - 49 years old). Almost four in every five (78%) of deaths were among the unvaccinated. Breakthrough hospitalizations hit 5,866. Among those hospitalized for breakthrough infections, 93% were unvaccinated.



IN Brief

IN Federal Circles . . .

- U.S. Sen. **Todd Young** (R) tweets about the President's student debt cancellation initiative: "Asking Hoosiers who didn't attend college or already paid off their college debt to foot the bill for others is a misguided proposal. It will do nothing to make higher education more affordable, which is what we should really be focused on." He adds, "This disadvantages Americans who didn't go to college, worked hard to pay off their loans, held a job during school, or chose a more affordable school to minimize student loan debt" . . . Sen. Young introduces the "Doug Zembiec Gold Star Family Support Act of 2022," a measure to create a pilot program to provide qualified grief companions to improve bereavement care for survivors. Major Doug Zembiec was a U.S. Naval Academy classmate of Sen. Young who was also commissioned into the Marine Corps following graduation. An infantry and Force Reconnaissance officer, Major Zembiec led Marines in combat during the Iraq War. Following his death in action in 2007, his family received assistance from casualty assistance officers, but Sen. Young believes more could have been done to provide comfort as they responded to the trauma of losing their son. Originally an idea of Doug's wife, this legislation would ensure that the U.S. Department of Defense is prioritizing the comfort and care of survivors as they transition out of the military community and throughout the grieving process. "Our Gold Star families suffer tremendous loss when their loved one pays the ultimate price and sacrifices their life for our freedoms," Sen. Young observes. "I've made it a priority to protect these Hoosier families who have already given so much. While the military has Service Members and Chaplains standing by to assist, providing someone who understands their loss and is able to walk them through their grief is a vital component that this pilot program aims to address," adds the Marine Corps veteran. As drafted, no later than 90 days after the date the bill is passed, the undersecretary of defense for personnel and readiness would be tasked with implementing a pilot program providing training to, validating, and deploying grief companions to facilitate bereavement care provided by the Department of Defense following casualty notifications.

- The U.S. House of Representatives passes by unanimous consent H.R.8656, a bipartisan bill introduced by the Indiana delegation, to name the Department of Veterans Affairs Clinic in Mishawaka, Indiana the "Jackie Walorski VA Clinic."

- U.S. Rep. **Victoria Spartz** (R) tells a town hall meeting in Pendleton August 13 that the FBI search at Mar-a-Lago is "just political and getting the FBI involved is very dangerous. It shouldn't happen," reports **Ken de la Bastide** for the *Anderson Herald Bulletin*. Rep. Spartz believes "No one should be treated like that," adding: "The Democrats should be showing

they can govern, which they aren't doing a good job." "How much energy have they spent on attacking him," she muses. "I believe he's getting used to it." Despite that, she says, "We can't have a police state" . . . Rep. Spartz made her seventh visit to Ukraine as a House member, tweeting that she "had a productive meeting with @USAmbKyiv Brink and her staff in Ukraine." "It's important for us to have a clear vision in this critical strategic area," she adds. "I was impressed with our new diplomatic team and look forward to working with them to help Ukrainian people succeed!" . . . following that visit to Kyiv, Rep. Spartz sends a letter to the President, the secretaries of state and defense, and General **Mark Milley** urging them to take "urgent action" to improve efficiency and volume of direct lethal aid to Ukraine, implement point-to-point logistics to the frontline, start implementing lend-lease legislation, and establish an advisory and oversight joint task force in collaboration with the U.S. Embassy in Ukraine for distribution of financial aid to address what she sees as "high risks of incompetency, corruption, infiltration, and abuse of power in the Ukrainian government" . . . using the peg of a meeting with the parents of the recently slain Elwood police officer, a Fishers native, Rep. Spartz declares that anti-police rhetoric must stop and we have to support our police officers. "Amidst an ever-changing news cycle, I remain extremely concerned about rising anti-police sentiment across our country," she says. "Baseless claims of institutionalized police violence, oppression and incompetence avoid a simple and undeniable truth – strong and well-funded police departments make our communities safer. An Obama Administration report confirmed this," Rep. Spartz notes, and "The bipartisan takeaway is clear – the most important way we can increase public safety is by increasing support for our police, men and women who serve on the frontlines every day to protect us. An alarming consequence of the anti-police narrative in our country is that it is now more dangerous than ever to serve as a police officer. The numbers confirm this," while "Historic numbers pale in comparison to what we are seeing today."

- U.S. Rep. **Jim Banks** (R) is pleased that Senate Committee on Foreign Relations Chair **Bob Menendez** (D-NJ) teams with U.S. Sen. **Marco Rubio** (R-FL) to introduce bipartisan companion legislation to the "the Sanctioning Supporters of Slave Labor Act" Rep. Banks introduced in the House in early June. The measures would expand the current scope of sanctions on those committing human rights abuses against Uyghurs, and impose secondary sanctions on those that do business with and provide support for foreign entities who have been sanctioned for their Uyghur human rights abuse. Currently, U.S. law authorizes mandatory sanctions on any foreign persons involved in severe human rights abuses against Uyghur Muslims and other ethnic groups in Xinjiang, including those connected to Uyghur slave labor. However, companies doing business with these sanctioned persons can still access the U.S. financial system. Says Rep. Banks: "Congress must respond to the Chinese Communist Party's ongoing genocide

with bipartisan, bicameral opposition. I am very grateful to Senators Menendez and Rubio for introducing my bill in the Senate and I hope that my Democrat colleagues in the House become equally willing to reach across the aisle and join my bill. We must end US complicity in the Communist Party's slave labor and human right's abuses and pass the Sanctioning Supporters of Slave Labor Act."

- U.S. Rep. **Frank Mrvan** (D) offers remarks on the House floor before voting in support of the Inflation Reduction Act of 2022. He highlights the measure's provisions to lower health care costs for those on Medicare, explaining "Of particular importance to me are the provisions that finally address the unfair disadvantage our seniors face when deciding between missing a meal or missing a prescription. This measure represents real progress that provides real relief to seniors."

- U.S. Rep. **Larry Bucshon** (R) offers these comments on the Inflation Reduction Act, H.R. 5376, which passed the U.S. House of Representatives on a party line vote: "[P]assage of the Inflation Reduction Act, or rather the Inflation Expansion Act, will lead to more taxes, a higher cost of living, and fewer treatments and cures for the American people. President Biden and Democrats in Congress continue to jam through bloated spending bills that do nothing to address the real issues affecting Hoosier families and small business on Main Street like fixing the economy, making our communities safer, or addressing our supply chain shortages. Instead, Democrats in Congress are once again spending billions of dollars to fund their liberal Green New Deal agenda and are enacting price controls that will deny Americans access to critical lifesaving treatments and cures," Rep. Bucshon contends. "With the so-called Inflation Reduction Act, Democrats in Congress are just doubling down on the same failed economic policies they have already put in place over the past two years that have resulted in the cost of living skyrocketing to the highest levels seen in 40 years – a level that is leaving far too many American families having to decide between filling up their vehicle to get to work or buying groceries to feed their families," adds Dr. Bucshon . . . Rep. Bucshon is decidedly not pleased with the President's federal student loan forgiveness plan. "Like last week's inflation-inducing reconciliation legislation," Rep. Bucshon observes Wednesday, "President Biden's plan to forgive student debt comes at a cost that will prove detrimental to the American people. As much as 70% of the debt that will be forgiven belongs to our nation's top income-earners." He is concerned that "all taxpayers – those who chose to attend an institute of higher education that required them to take out student loans, and those who did not – will suffer as hundreds of billions of dollars are added to the national debt." "It is unfair to make those who have never gone to college, or who took out loans and paid them back, pay for others' student loans through the resulting increases in the cost of living," adds Dr. Bucshon. "This is just another foolish attempt by President Biden to gain popularity at the expense of everyday Americans."

IN State Circles . . .

- Changes in Senate leadership are few and (very) far between, and are typically evolutionary and rarely involuntary. Yet just as the dust was settling from an unprecedented July special session, Senate President Pro Tem **Rodric Bray** (R) dropped the big news: his ostensible wingman, Senate Majority Floor Leader **Mark Messmer** (R), was being deposed from his operational post in favor of Sen. **Chris Garten** (R). Sen. Bray didn't openly say so, but the Messmer move was clearly involuntary, the culmination of many things.

- "I was removed for voting against SB 1," Sen. Messmer tells **Abdul-Hakim Shabazz** of Indy Politics.org. "I opposed SB 1 because the timing of bring the bill in a rushed special session was wrong and no one on the pro-life or pro-choice side of the issue liked the bill." That's only part of the story, however. The special session saw the proverbial last straw(s): that vote and his absence from the final half of the special session. Dig deeper, however, and it was not simply the floor vote, but the vote against leadership in committee – viewed internally as a far greater sin than the Third Reading vote, and one which could have changed the direction of the bill. Sometimes members will get a free pass to do something to boost them politically or to serve the obvious interests of their district, but Messmer was in no political peril in his district (safe for him and for any R), and the vote seemed to be taken with an eye toward bolstering his credentials for a future CD 08 bid.

- But the leadership change had to be predicated on more than just that to occur when it did: not even three months out from the general election and the biennial reorganization of leadership and committee chairs . . . and theoretically didn't need to be announced now. After all, when Sen. **Mike Young** (R) symbolically, physically, and philosophically separated himself from the majority caucus, he was not stripped of his Committee on Corrections and Criminal Law chair – although it's a foregone conclusion that he will be replaced, likely by Sen. **Aaron Freeman** (R), in November (and we suspect that Sen. **Liz Brown** (R) may also find her regular session performance on permitless carry leading her down a new road within her caucus). But Sen. Bray felt compelled to end the marriage of convenience with Messmer that carried him over the top in his leadership race against Sen. **Travis Holdman** (R) four years ago. As members have cycled through the caucus, the tenor of the majority has changed, and Sen. Bray has faced a much more difficult task in herding cats.

- Messmer, meanwhile, has grown in importance in the Senate – largely through his post as majority leader. More than one lobbyist has told us over the past year that Messmer needed to be on a significant bill as author or sponsor for it to navigate the upper chamber . . . as both those inside the hallway and in the chamber increasingly expressed concern

to us that Messmer was both growing a bit too big for his britches and throwing too many elbows. His colleagues were growing concerned about his outsized influence and how he was exercising it – to the point where his ouster was, as we’ve discovered, not upsetting to his colleagues, who, in past years, might have viewed such a power move by a pro tem as an alarming signal that they could be next.

□ What also seemed to play into this, below the surface, is that the Senate Majority Caucus is incredibly fractured in terms of both matters and methods, and the abortion issue was a microcosm. Some on the far right on social issues want the Senate Majority Caucus to use its supermajority status to make the kind of changes they believe they were elected to implement, while Sen. Bray (and the Governor) appear concerned that, thanks to how legislative district lines are drawn, the sum of the parts does not equal the whole, and that the legislature is more conservative than the overall Hoosier electorate. While changes may not need to be incremental, they probably shouldn’t be radical, implemented overnight. Some of the less senior members of the caucus are concerned that Bray is too cautious, and want more immediate action. That leads to talk about leadership change, but there has been no identification of a single leader around who members might coalesce . . . and you don’t challenge the king unless you’re sure you can take him down. Sen. Messmer might be someone who had enough of a foundation to be the guy to take on Bray and still remain a player even if he lost, but he didn’t get that chance, as Sen. Bray decided it was time to preempt any such talk. Indeed, Messmer had built up a campaign account balance of \$430,274 as of April 8, the date of his last report (only about \$86,000 less than that of Sen. Bray entering 2022, the filing date for the last report due from him), and he was just starting to dole out some of that in five-figure chunks, earning goodwill from his colleagues. We suspect that when you see his next report, due October 22, you will see many more Messmer contributions through late July (and you better believe Sen. Bray will take note of the recipients).

□ In that respect, Sen. Garten was a smart choice, despite still being in his first term. Elected in 2018, he was seen as getting his feet wet in policy work and earning an opportunity to introduce himself to a broader southeastern Indiana voter base before running for the vacant CD 08 seat in 2024. But U.S. Rep. **Trey Hollingsworth** surprised everyone by opting to step down two years before his originally declared and reaffirmed retirement date, and it did not jive with his calendar (note that when then-Sen. **Erin Houchin** (R) first ran for the seat in 2016 and lost, she was also in the middle of her initial Senate term). He was also starting to get a feel for the rhythm of the Senate and fitting in well. Belying his naturally bombastic nature, he did his homework and took the lead on some issues (such as changes to the administrative rules process) that didn’t

necessarily seem to fit into his wheelhouse. Garten was starting to build a base of newer senators who naturally seemed to gravitate to him as a leader despite not trying to lead (think of then-Rep. **Tom Dermody** (R) – now LaPorte’s mayor – about a dozen years ago in the House as an analogous figure), and bringing him into leadership and giving the latest generation of senators a voice helps Sen. Bray to co-opt Garten and those who look to him, fend off a possible leadership challenge from Messmer or Garten, and help to train Sen. Garten to assume a larger long-term role in the caucus now that any prospect of moving to Congress seem to be cut off for several more cycles.

□ So the Messmer ouster was a long time coming, designed to send some pre-election signals – including more post-election changes in leadership and committee chairs are coming – and solidify Sen. Bray’s spot in the wake of an internally divisive special session and in advance of a general election which may have a major impact on the state, if not the Senate Majority Caucus (though there seems to be less of a belief that Dr. **Alex Choi** (R) can knock off Sen. **J.D. Ford** (D), a resignation to seeing caucused-in Sens. **Rodney Pol** (D) and **Michael Griffin** (D) returning, and greater concern about the vulnerability of Sen. **Kyle Walker** (R)). The 2023 Senate Majority Caucus may become even more conservative than it is today, and Sen. Bray has insulated himself well from that prospect morphing into a leadership challenge.

- Attorney General **Todd Rokita** (R) writes a letter to the editor of the *Wall Street Journal* in response to an op-ed co-authored by former federal judge **John Tinder** and former U.S. Rep. **Susan Brooks** (R) castigating him over actions he has taken to investigate the abortion practice of Dr. **Caitlin Bernard**. The disclosure of private patient information to the press is a matter of substantial public interest, he argues, noting that one of his office’s responsibilities “is to hold practitioners accountable to the standards of practice in their professions, as well as to federal and state laws.” “After a doctor reported her patient’s circumstances, involving abortion and rape, to the media, my office undertook a review of that act in response to public concern,” General Rokita writes. “Since the doctor’s comments to the media about her patient made international news, the disclosure of such private information – which is protected by state and federal law – is a matter of substantial public interest.” He contends that “The indication of a review or investigation doesn’t imply guilt or innocence.” “The media and others need to stop rushing to judgment and keep an open mind, relying on my and my office’s promise to get all the facts,” he asserts. “These situations are always more complex than the media makes them out to be. Likewise, just because commentators and ‘know betters’ haven’t seen evidence doesn’t mean it doesn’t exist. All should withhold judgment on the situation until the process is complete. I certainly have done that,” AG Rokita concludes.

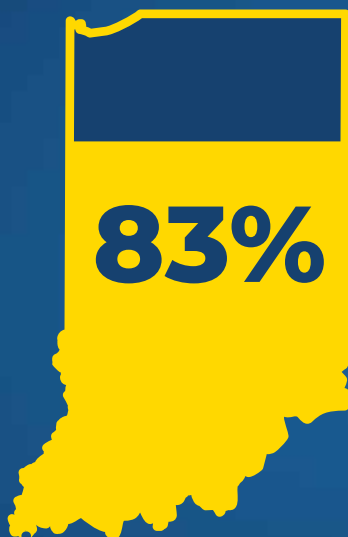
- We were first to break the sentencing news on Twitter in the criminal cases of former Sen. **Brent Waltz** (R) and former Rep. **John Keeler** (R).

□ Keeler pleaded guilty to felony charges of causing the filing of a false corporate tax return for Centaur Gaming, based upon an illegal \$25,000 conduit contribution scheme in which he acknowledged participation, and for which he was charged. Keeler receives a two-month prison sentence, likely to be served at the minimum-security federal prison camp in Montgomery, Alabama, to be followed by five months of “radio-controlled” home detention. He also must serve one year of supervised release. Keeler is also slapped with a \$55,000 fine and assessed a \$100 fee. His sentence was lighter than the five-month hard time, \$79,500 fine sought by prosecutors from the U.S. Department of Justice’s Public Integrity Section, likely due in part to the 83 letters of support to the court and packed courtroom of friends, family, and colleagues standing by him.

□ Waltz pleaded guilty in a scheme to funnel \$40,500 in illegal conduit contributions to his unsuccessful 2016 congressional primary campaign. With no such support expressed on his behalf, he received a 10-month sentence to be served in a federal minimum-security prison, to be followed by two years of supervised probation. He is also fined \$40,500, as well as assessed a \$200 fee. All of this was as recommended by the Department of Justice D.C.-based prosecution team.

□ Following his sentencing, Waltz appeared with **Abdul-Hakim Shabazz** on IndyPolitics.org, launching a vitriolic diatribe against DOJ “bureaucrats.” “The government has been on a hunt,” he charges. The government has been on a jihad for conservatives ever since **Donald Trump** has been elected, may be even a little bit before.” Waltz explains, “Anyone who has any affiliation with Donald Trump anyone who supports Donald Trump, seems to be having open season with the FBI.” He blasts the FBI – which the Trump-appointed federal judge noted Waltz had lied to – saying instead “they lied,” and then served up a strange parable: “Back in the olden days when they wanted to get rid of a politician,” he explains, “they’d have the common decency to sneak up behind you with a derringer when you’re watching a play, or climb an office building and shoot you with a rifle when you’re in a limousine. Nowadays, they are far more sophisticated in terms of their political assassinations, and in some ways far more cruel. But as we’re learning from Donald Trump, it might be just as effective.” Waltz ends his appearance with Abdul by telling listeners, “I hope that those who have been abusing the system like those involved in Washington, D.C., are eventually held to account. And if the Republicans win back the House, perhaps they’ll invite me to testify on Capitol Hill. I’ll have a lot to say.”

□ Waltz doubled down that same afternoon in an interview with **Tony Cook** of the *Indianapolis Star* in which he literally gives the finger to federal government investigators. Will he



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be called to task for his quick turnaround on acceptance of responsibility and remorse? Not likely on a formal basis, nor should you expect that he will be hauled back into court to account for the pent-up comments he made once no longer under oath . . . but if he finds himself back in court for any other issues related to the overall investigation – which he says is focused on former casino mogul **Rod Ratcliff** – he should not expect kid-gloves treatment. If you are looking for any evidence that the feds may be retaliating, watch to see if he receives an assignment for what he refers to as his “vacation” to a site such as Federal Prison Camp Yankton in icy South Dakota, generally not viewed as one of the more preferred minimum-security facilities among what Waltz refers to as a “Martha Stewart Camp Cupcake.” The judge had initially suggested he serve his time in a minimum-security prison in Kentucky.

□ Early this week, Waltz’s attorneys asked to be released from any further obligation of representation, a request granted by the judge on Thursday.

- Just in case you thought there was something nefarious about the **John Whitaker** “private citizen” challenge to the General Assembly’s special session statute, *Whitaker v. Bray*, No. 49D02-2104-PL-014586, remaining alive months after the law in question was effectively struck down by the Indiana Supreme Court . . . you should know that Marion County Superior Court 2 Judge **Tim Oakes** on August 15 dismisses the parallel matter to the Governor’s own challenge after the parties stipulated to dismissal of the case.

- The Sixth National Risk Assessment: Hazardous Heat, a new study of current and future extreme heat events published by the nonprofit First Street Foundation, details an “Extreme Heat Belt” that ranges from Texas to Indiana, and warns that 81 of Indiana’s 92 counties could see the heat index hit 125°F at least one day per year by 2053. There will be only 50 counties nationally that are expected to experience temperatures above 125°F in 2023, the highest level of the National Weather Services’ heat index. By 2053, however, 1,023 counties are expected to exceed this temperature, including almost 90% of Hoosier counties. Northeast Indiana and Southeast Indiana along the Ohio River are largely exempt.

□ The report outlines the impact of increasing temperatures at a property level, and how the frequency, duration, and intensity of extremely hot days will change over the next 30 years from a changing climate. The Foundation’s analysis combines high-resolution measurements of land surface temperatures, canopy cover, impervious surfaces, land cover, and proximity to water to calculate the current heat exposure, and then adjusts for future forecasted emissions scenarios. This allows for the determination of the number of days any property would be expected to experience dangerous levels of heat.

- Rep. **Jim Lucas** (R) takes more flak over a quote on his personal Facebook page – briefly used as his cover photo – from Nazi Party propagandist Joseph Goebbels: “If you tell a lie big enough and keep repeating it, people will eventually come to believe it. The lie can be maintained only for such time as the State can shield the people from the political, economic and/or military consequences of the lie. It thus becomes vitally important for the State to use all of its power to repress dissent, for the truth is the mortal enemy of the lie, and thus by extension, the truth is the greatest enemy of the State.” Rep. Lucas has found himself in hot water with his caucus leaders over the years for controversial social media posts that have found him accused of being racist and misogynistic.

□ The post and cover phot were removed after complaints, and the day after the CANDLES Holocaust Museum and Education Center condemned the social media posts, he visited the facility in Terre Haute. Executive Director **Troy Fears** released a photo with Rep. Lucas captioned with: “Today CANDLES Holocaust Museum and Education Center had the opportunity to host Indiana State Representative Jim Lucas after condemning a recent social media post he made this week. Rep. Lucas came to visit CANDLES on his own accord, eager to learn more about the museum, Eva Kor, and the lessons of the Holocaust. It was a positive visit, and we shared a great conversation about the importance of Holocaust education in Indiana. We better understand the events that unfolded earlier this week and appreciate opportunities to build stronger communities through conversations like we had today.”

- Plaintiff **Barbara Tully** files a motion for summary judgment August 15 in her 13-month judicial pursuit to hold Attorney General **Todd Rokita** (R) accountable for not releasing a copy of the Office of Inspector General Informal Opinion he received upon taking office that he asserts permitted him to continue certain private corporate legal work (which he long since abandoned). *Tully v. Rokita*, No. 49D06-2107-PL-025333. Tully wants Marion County Superior Court 6 Judge **Kurt Eisgruber** to order the release of the IG advice, declare that General Rokita has violated the Access to Public Records Act (APRA) by refusing to make the January 15, 2021, opinion available to her for inspection and copying, and by failing to timely respond to her APRA request. She asserts that there are no disputed issues of material fact and is entitled to judgment as a matter of law on her claim.

- Hoosier hospitals are undertaking the adult-world equivalent of cramming for final exams as they find themselves about two weeks away from the effective date of the state’s new abortion ban . . . amidst little clarity about key elements of the law, starting with some of the basic definitions. At the same time, smaller and rural hospitals are looking at fully abandoning such procedures – concurrent with questions being raised about whether a sufficient number of ob/gyns

will be available for women in Indiana given practice and patient care restrictions. All kinds of procedures and common practices are being carefully parsed and legally vetted in light of the new law, including whether routine pregnancy tests for patients about to undergo surgery should remain a component of local medical protocols . . . and what implications this could have for patients under different scenarios.

□ Lawmakers may not have realized this, but other professions are also undertaking similar analyses of their formerly routine activities, including first responders (largely police, fire, and EMS personnel), who might find themselves be second-guessed legally under the new law after being forced to make split-second life-or-death decisions at trauma scenes.

• Look for Sen. **Jon Ford** (R) to work with prosecutors to seek a change in state law to prevent a repeat of a situation like one that occurred early this month at a Terre Haute Walmart. When a man entered the store wearing a balaclava-style ski mask with a firearm tucked into his waistband, some customers fled. A police response determined that the man was participating in the filming of a video, the “firearm” was a pellet gun, and no crime had been committed.

□ Vigo County Prosecutor **Terry Modesitt** (R) convened a press conference to explain the incident and the inability of his office to charge the individuals. He has talked with Sen. Ford about enacting a law barring anyone from wearing a facemask while carrying a weapon in a business . . . which could also raise some controversial new questions about Indiana’s open carry law.

• Some major changes are coming to the operations of RiverLink, the authority for the three Indiana – Louisville toll bridges Tennessee-based TransCore will add, operate, and maintain vehicle-tracking equipment on the three Ohio River toll bridges, effective in 2023, reports **Marcus Green** of WDRB-TV in Louisville. “Kapsch TrafficCom, which has held the primary toll operations contract since RiverLink opened in late 2016, did not bid on the roadside work,” and TransCore will be paid \$18.33 million over seven years. Costs are split between Indiana and Kentucky. At the meeting of the four-member joint that made the selection, Indiana Department of Transportation Commissioner **Mike Smith** labeled the action “a signal of both states moving toward a more healthy operation on this account,” adding that he “look[s] forward to the enhancements and improvements that we’re going to make.” Green notes that the panel “selected Electronic Transaction Consultants of Texas last year for the back office work under a 10-year contract estimated at nearly \$80 million.”

□ The joint board also chooses Texas-based Perdue, Brandon, Fielder, Collins & Mott LLP to collect outstanding tolls, and will receive 13% of all tolls and fees it collects, WDRB’s Green adds.

• National Highway Traffic Safety Administration (NHTSA) statistical projections of motor vehicle traffic fatalities for the first quarter of 2022 show that an estimated increase of about 7.0% in motor vehicle traffic deaths as compared to the first quarter of 2021, with Indiana seeing an estimated 214 such fatalities, up by 39 (22.3%) from 175 in Q1 2021. That’s more than triple the national percentage hike seen by NHTSA, and the seven percent over-the-year growth posted in the six-state NHTSA region to which Indiana belongs. Indiana is one of 28 states experiencing an increase in fatalities over 2021.

IN the Economy

• General Fund revenue collections for July total \$1.482 billion, continuing to exceed what were initially believed to be generous projections (all of the estimates here are based on the December 16, 2021, revenue collection forecast). Collections during July run \$72.0 million (5.1%) higher than the forecast estimates thanks to a better-than-expected influx from sales and use taxes, individual income taxes, and riverboat wagering taxes . . . and are already \$147.9 million (11.1%) ahead of actual revenue counted during the prior year. But there’s a big caveat behind the big numbers: more than one-half of the increment above forecast is derived from riverboat wagering taxes, and that is a result of timing changes dictated by a 2022 law that effectively moved what would ordinarily have been some Fiscal Year 2022 state revenue into FY 2023 . . . but which should not affect the full fiscal year forecast.

□ Specifically, the riverboat wagering tax collections silo shoots \$44.8 million (5,231.4%) above the December forecast after registering a \$36.3 million setback just two months earlier, in May. Collections from this category totaled \$45.7 million for July, which is \$44.3 million (3,290.1%) better than the same month one year ago. As just noted, timing changes in the reporting of collections from gaming taxes (SEA 382-2022) are driving July’s better-than-expected performance. The State Budget Agency affirms that the timing impact “is not expected to affect the full fiscal year forecast.”

□ Sales and use tax collections continue to bely beliefs about a recession, rising above the estimate for July and generating \$884.7 million during the month, \$13.9 million (1.6%) more than the monthly estimate and \$54.3 million (6.5%) better than revenue from the same source in July 2021 (just after Covid vaccines were first becoming widely available across age cohorts). July collections attributable to sales tax, excluding gasoline use tax, were \$9.9 million above the forecast, and \$54.7 million (6.7%) north of prior-year actual performance. The gas use tax specifically generates \$4 million more than expected under the forecast.

□ After corporate income tax collections ran in a negative direction during November compared to both the forecast and prior year experience, this category continued a turnaround for four months, but in April corporate tax collections fell behind the December projection before rebounding in May and June. Corporate taxes now once again lag behind the (July) estimate by \$400,000 (- 1.3%), totaling \$33.6 million, which is \$9.9 million (- 12.1%) below revenue collected via this source in July 2021.

□ Individual income tax collections account for \$469.8 million in July General Fund revenues, topping the December estimate by \$11.5 million (2.5%), and \$50.5 million (12.1%) more than revenue collected in July 2021. July collections from tax withholdings are \$100,000 less than the forecast had projected, but charge \$60.6 million (9.0%) ahead of withholdings collected during July 2021. Other monthly individual income tax collections, net of refunds, end July \$11.6 million above the estimate, but \$10.0 million (4.0%) below prior-year actual collections.

□ Gaming taxes overall contribute \$61.5 million to state coffers during July. The \$10.9 million in July racino wagering taxes lag some \$800,000 (- 6.6%) behind what the forecast called for, and trail collections from this source in July 2021 by \$700,000 (- 5.8%). In July, sports wagering taxes chipped in \$1,984,399 to the state's gaming tax collections; this category is not something separately broken out in the state revenue collection forecasts.

• For the first time in more than two years, during June we had to deploy the word “uptick” to describe an over-the-month change in Indiana's unemployment rate. Now, in July, we see the first back-to-back months of increase since the pandemic shutdown. After 25 consecutive months of flat or declining unemployment since the hefty pandemic jobless spike from March to April 2020, Indiana's unemployment rate grew from May to June, hitting 2.4%, and then rose again to 2.6%, matching the prior-month growth of two-tenths of a percentage-point.

□ Indiana is one of only three states nationally to experience an unemployment rate rise in July, although each of these states – the other two were Montana and Nebraska – post July jobless rates that were still below the national rate. Indiana and Montana are the only states to experience consecutive over-the-month rate increases, and while the two states matched May-to-June hikes, Indiana doubles Montana's June-to-July growth.

□ The Indiana hike follows three consecutive months in which we had dipped to 2.2% unemployment, an historic low level. We've topped the 2.4% unemployment that everyone had wildly celebrated in January, after the three-month stay at a record low for the state dating back to 1976 (almost the mid-point of the Republican Bowen Administration), when

the current method of compiling unemployment rates began, according to the Department of Workforce Development. Indiana is one of 26 states to reach a record-low unemployment rate at some point this year. The unemployment data reflects the number of unemployed people seeking employment within the prior four weeks as a percentage of the labor force, running through the week of the 12th.

□ While the 2.2% rate – and its persistence – was stunning, you should not dismiss the similar positive importance of the 2.6% rate, which is still effectively in the range of one-half of the four percent to five percent unemployment that economists had traditionally branded as “full employment.” Indiana has spent 10 consecutive months with a jobless rate south of three percent. We also, of course, remain considerably south of the five percent unemployment threshold; recall that until the pandemic struck, Indiana hadn't seen its unemployment rate float as high as five percent since April 2015. Even this slightly elevated July rate stands out just about two years (actually 26 months) after Indiana's pandemic unemployment rate had soared to a record high of 16.9% in April 2020. Indiana was one of 12 states whose February unemployment rates set new or matched series lows (the series began in 1976), and one of 17 to do so in March. Since matching a 22-year-old record at 2.8% in October, we have seen new record lows in six of the nine succeeding months . . . but numbers are trending in the wrong direction.

□ The positive employment news had been contradicting news about high quit rates, hiring woes, supply shortages, soaring gas prices, rapidly growing inflation, and recession talk. The Indiana unemployment rate had stood at what had been viewed as a then-amazingly low 3.2% before the pandemic struck in March 2020, and was at “just” 3.1% in January 2020. Before our current streak, the state's unemployment rate had last lagged 3.0% from December 1998 - June 1999 (under the unlikely combination of a Democratic governor and president) . . . and while we're still in rarified employment air, we may be growing closer to getting a dose of the new reality than other states. Recall the old maxim that because of Indiana's heavy reliance on manufacturing jobs, we're prone to be among the first states plunging into recession and one of the last to emerge.

□ Following the pandemic-riddled April 2020 that had interrupted the longest such stretch of over-the-month unemployment rate declines (or at least the lack of increases) in almost 2½ years, we turned a corner after being stuck on the 4.1% rate for the June - August period in 2021. This had perpetuated the trajectory which state officials and business leaders had hoped to be following, and we may be returning now (though two months do not necessarily constitute a trend) to the traditional view of unemployment numbers where a larger pool of available individuals in the workforce should

brighten the outlook of prospective employers considering Indiana for major facilities. Not only has Indiana remained south of a double-digit unemployment rate since the last month of such in June 2020 (10.1%), unemployment during the final full month of the pandemic shutdown (13.3%) was more than five times the current month's rate.

□ Viewed in the context of our neighboring states, Indiana was the sole state to see its unemployment rate grow over the month, making that two straight months in which we are the only state in our cohort to see the unemployment rate increase. Illinois and Michigan even saw over-the-month decreases as and Kentucky Ohio stayed steady at their June unemployment level. The U.S. average also declined from where it had been stuck since March. Indiana's over-the year improvement (- 1.1 points) was matched by Kentucky, and bettered by Illinois, Michigan, and Ohio.

	<u>07/22</u>	<u>07/21</u>	<u>06/22</u>	<u>05/22</u>	<u>04/22</u>	<u>03/22</u>	<u>% Pt. Change</u>	<u>Month</u>	<u>Year</u>
Indiana	2.6%	3.7%	2.4%	2.2%	2.2%	2.2%	0.2	(1.1)	
Illinois	4.4%	6.2%	4.5%	4.6%	4.6%	4.7%	(0.1)	(1.8)	
Kentucky	3.7%	4.8%	3.7%	3.8%	3.9%	4.0%	0.0	(1.1)	
Michigan	4.2%	6.2%	4.3%	4.3%	4.3%	4.4%	(0.1)	(2.0)	
Ohio	3.9%	5.1%	3.9%	3.9%	4.0%	4.1%	0.0	(1.2)	
National	3.5%	5.4%	3.6%	3.6%	3.6%	3.6%	(0.1)	(1.9)	

□ After the March 2000 rate ensured that Indiana had maintained the lowest monthly unemployment rate compared to our immediate neighbors for 43 consecutive months, our relative bragging rights disappeared with the pandemic, ceding top honors to Kentucky in April 2020. The Bluegrass State retained that status through the post-shutdown days of July 2020 before relinquishing the honors to Indiana in August of that year – and once Indiana regained the regional distinction again in October 2020 it has now maintained that status for 21 consecutive months – approaching 1¾ years now. The gap between the national and Indiana rates (0.9 points) continued to (after January numbers had served up a difference of 1.6 points that was at its highest point in many months).

□ Looking at the July unemployment rate ladder nationally, Indiana slips out of the top 10 for the first time since October following an eight-month run, with five of those months ranking among the top five states. We fall to 11th from seventh place after starting the year ranked third for four consecutive months and dipping to fifth during May. After only Nebraska and Utah had a lower unemployment rate than Indiana for four straight months, Indiana falls back into the pack.

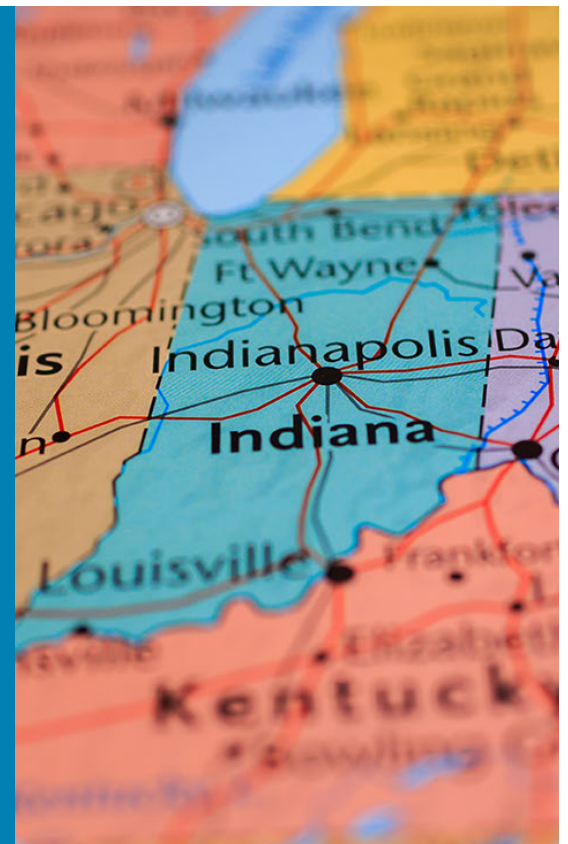
□ Indiana's entry into the top 10 tier came in November after we had slipped to our worst rank of 2021 (17th) in August and stayed there in September – so after moving up the ladder in the right direction in the fourth quarter, the first quarter continued

A new report found Indiana's medical costs are in line with neighboring states.

However, insurance companies increased their profits and raised premiums for Hoosiers.

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with a national bang and extended into Q2. Our next-closest neighboring state (Kentucky) only manages to rank 33rd (after placing 31st for four months in a row) on the national ladder, and Illinois is lowest in rank, remaining in 45th place nationally.

□ The state's unemployment rate has decreased by a hefty 14.3 percentage points (- 84.62%) since the pandemic high mark of 16.9% in April 2020, among the top handful of all states. Indiana's unemployment rate has declined by 8.2 percentage points (and 75.93%) since the June 2009 inflection point (10.8% unemployment) that represented the peak of the 2008-09 global fiscal crisis.

Indiana's National Rank in Unemployment Rate (1= Nat'l Best)

Month	2022	2021	2020
July	11	15	19
June	07	16	37
May	05	12	27
April	03	11	47
March	03	12	10*
February	03	11	16*
January	03	11	11*
December		10	11
November		10	15
October		12	13
September		17	19
August		17	16

* Pre-pandemic

□ Indiana's July unemployment rate is 1.3 percentage points lower than the rate posted back in January 2017, when the new Trump and first Holcomb Republican administrations assumed office, respectively, at the national and state levels, the steepest rate of decline in unemployment (bettered only by Kentucky) among our neighboring states – a substantial accomplishment given that Indiana's January 2017 rate had been substantially lower than that of each of our neighbors. Since the beginning of the 2021 (and a new federal administration), Indiana's rate has decreased by 1.6 points, below the national average but tied with Kentucky and better than all of our other neighbors save Illinois.

Rate of Change in Unemployment Rate

	07/22	01/21	01/17	vs. 01/21	vs. 01/17
Indiana	2.6%	4.2%	3.9%	(1.6)	(1.3)
Illinois	4.4%	7.7%	5.2%	(3.3)	(0.8)
Kentucky	3.7%	5.3%	5.2%	(1.6)	(1.5)
Michigan	4.2%	5.7%	5.0%	(1.5)	(0.8)
Ohio	3.9%	5.3%	5.2%	(1.4)	(1.3)
National	3.5%	6.3%	4.8%	(2.8)	(1.3)

□ The Hoosier State continues to experience a growth in employed workers, but after the number of those unemployed and seeking jobs decreased progressively in each month since June 2021 through March, the number grew in April and May and then took a substantial jump in June and advanced on a moderate basis in July, even as job openings continue to track at all-time highs. The raw number of Hoosiers unemployed and seeking jobs dipped below 200,000 in October 2020 for the first time since March 2020 (the last month before the pandemic numbers were first seen) – and has remained south of that level, finally dropping below 100,000 in December and plunging even more during each month of the first quarter of 2022 before growing again in April through June. There were an estimated 87,889 individuals unemployed and seeking jobs during July (up by almost 8,100 from June, and by a total of some 15,000 from May), after this metric during March had been at its lowest level since before the pandemic took effect. This figure is still some 75% lower (272,798 fewer Hoosiers) than the number in this category in June 2020 (360,687) the final (partial) month of the pandemic economic lockdown. These numbers, you should recall, do not count those who are opting out of the Indiana workforce, a key caveat.

□ Indiana's total labor force – the number of people who have a job or are actively looking for one, including jobs in agriculture and individuals who are self-employed – continues to improve following struggles toward the end of 2021 . . . but is failing to maintain pace with job growth. After the labor force experienced a progressive decrease that began at mid-year in 2021, slipping to a seasonally adjusted 3,304,953 in January, the lowest level since April 2020 (the first month in which pandemic shutdown data was reflected), the labor force grew in each month since February. December 2020 (when Covid vaccines first became available) had featured the largest labor force size (3,390,973) since February 2020, the last full month effectively unaffected by the pandemic, and we've still not ramped back up to that level, hitting 3,393,968 in July, rising by 15,635 (0.46%) over the month (a strong positive, although a smaller gain than the 16,552 from April to May). This is the highest labor force level since December 2019.

□ Indiana is home to about 1,360 more workers than there were before the pandemic. The size of the labor force continues to trail the seasonally adjusted pre-pandemic record high of 3.42 million established in April 2019 (and note that more than 3,100 working-age Hoosiers died from Covid, removing them from the workforce). And, as we've told you before, no one can quite yet discern whether the decline in the work force is due to those opting to stay home permanently or those in the Baby Boom generation simply retiring . . . and whether the "Great Reassessment" as DWD officials prefer to characterize it, may see some returning to the workforce in either a full- or part-time capacity.

□ Indiana's labor force participation rate – the number of Hoosiers working or seeking work – continues its positive slope, up to 63.3% in July from 63.1% in June, remaining above the national 62.1% rate – which dipped over the month. Indiana had ended 2021 at a 61.9% December rate that had been the lowest (outside of the pandemic shutdown months) the state has posted in some 45 years, but the labor force participation rate bumped up to 62.1% in February and matched the national 62.4% rate in March before outperforming the national rate (with a 62.6% showing) during April and growing again to 62.9% in May – remaining above the national 62.3% rate. The streak in which Indiana's labor force participation rate outperformed the national average ended at 69 consecutive months ($\approx 5\frac{1}{2}$ years) in March 2020, but then outpaced the national rate for 21 months until that new positive run ended in December after the Indiana revisions matched the national 61.9% rate. February had marked the first time we had fallen shy of the national rate in consecutive months for at least eight years. The proportion of the population in the Hoosier labor force finally matches the 63.3% pre-pandemic heyday we enjoyed back in January 2020, even as many Hoosiers have dropped out of the labor force during the pandemic, contributing to a worker shortage in a high-demand labor market.

□ The number of Hoosiers who were employed during July reaches 3,305,979, making this the ninth consecutive month of improvement, and the highest since well before the pandemic shutdown – indeed, total employment hits a 10-year high. The national economy took 27 months to regain the almost 22 million jobs lost during the first two months of the pandemic, and Indiana recouped the approximate 155,000 jobs we lost on the same time frame. Employment in Indiana also remains above the 3 million threshold for a welcome 26th successive month (more than two full years now) after back-to-back months south of that hurdle in the pandemic-impacted months of April and May 2020. There are 90,400 Hoosiers believed to be unemployed and not in the labor force during July, but who want a job and are available to work now, down from 100,203 in June, 94,311 in May, and from 91,691 during April; this figure is falling after having risen across Q2.

<u>Month</u>	<u>Civilian Labor Force</u>	<u>Employed</u>	<u>Unemployed/ Seeking Jobs</u>
July 2022	3,393,968	3,305,979	87,889
June 2022	3,378,333	3,298,530	79,803
May 2022	3,364,365	3,290,454	73,911
April 2022	3,347,813	3,275,622	72,191
March 2022	3,332,430	3,260,335	72,020
February 2022	3,315,890	3,240,672	75,332
January 2022	3,304,953	3,225,078	79,875
December 2021	3,311,320	3,223,080	88,240
November 2021	3,319,801	3,219,105	100,696

October 2021	3,327,434	3,217,259	110,175
September 2021	3,341,352	3,219,412	117,205
August 2021	3,343,658	3,206,398	137,260
July 2021	3,346,060	3,208,203	137,857
June 2021	3,348,279	3,210,087	138,192
May 2021	3,343,498	3,208,905	134,593
April 2021	3,336,918	3,205,817	131,101
March 2021	3,336,946	3,206,661	130,285
February 2021	3,342,839	3,208,862	133,977
January 2021	3,347,732	3,206,544	141,188
December 2020	3,390,973	3,246,617	144,356
November 2020	3,330,853	3,162,874	167,979
October 2020	3,341,300	3,173,599	167,701
September 2020	3,336,535	3,128,254	208,281
August 2020	3,360,425	3,146,017	214,408
July 2020	3,318,134	3,059,536	258,598
June 2020	3,393,789	3,013,122	380,687
May 2020	3,337,410	2,928,491	408,919
April 2020	3,237,228	2,691,319	545,909
March 2020	3,277,155	3,168,930	104,785
February 2020	3,392,051	3,279,070	105,177
January 2020	3,392,608	3,285,835	106,773

□ The number of employed Hoosiers grows over the year in all 13 metro areas in July, vs. 12 in each month from December through July, with only the Kokomo MSA lagging prior to July. Over-the-month employment numbers rise in 10 of the 13 metros in July, eight in June. The number of unemployed declines over the year in seven of the 13 metros after falling during June in all 13 metros, breaking a streak extending to September, and, on an over-the-month-basis, the number of unemployed rises in each metro save Kokomo during July after saw gains in June and all saw declines in April and May after growing in each metro during March. The size of the labor force increases over the month in 11 of 13 metros in July, just as in March and April, sandwiching increase in 10 of the 13 during May and June. There were 12 metros posting over-the-year gains in the labor force during July (all save the Kokomo MSA) following 10 in June, 12 in May, and 11 in April, and 12 metros seeing a March-to-March gain in the labor force (vs. 10 MSAs during February and nine in January).

□ Even after private sector employment in Indiana declined for a second consecutive month in May – only the third decline in any month in the past 12 months, and for the first back-to-back months throughout that stretch – for the third time in four months, we see a new record for private-sector employment in Indiana during July. Total private employment for the month now stands at 2,767,300, up by 1,600 jobs over

the month, and a gain of 146,500 such jobs over the year. As of July 18, there were 156,813 open job postings throughout the state. The number of people in Indiana who received unemployment benefits during July was 15,366, growing from June, but down from 16,902 in May and from 20,917 in April.

□ Hoosier industries enjoying significant July job increases include Trade, Transportation and Utilities (4,500); Private Educational and Health Services (2,500); and Financial Activities (+300).

□ Because the statewide unemployment rate is posted on a seasonally adjusted basis and the county numbers are always reported as non-seasonally adjusted, there are some anomalies in the county-by-county breakdown (the non-seasonally adjusted state figure would be 3.5%, up from 3.2% in June, 2.5 % for May, and 2.2% during April). As the state average unemployment rate grows to 2.6%, the state-high county is found at 5.7% in Howard County, its second consecutive month at the top (June saw 6.5% unemployment there leading the state, however) after checking in second statewide in May at 4.1% (and with a 2022 previous high of 4.5% in March). Lake County, which had been highest in May at 4.2%, is second in July at 5.4% after a similar June finish (at 5.2%). Prior to June, the last time any county had hit 5.0% in monthly unemployment had been Lake County in February. Fayette County holds firm in third place for a third straight month, with 5.2% unemployment, up from 4.8% in June and 3.7% in May. Three counties were at 5.0% or greater July unemployment, and eight more post a June rate of at least 4.0% unemployment

□ While there were 23 counties at or above 3.0% March unemployment, that number was only four in April, growing back up to seven during May and soaring to 43 for June and landing at 62 in July. During April, 52 counties fell south of the 2.0% unemployment line, but there were only 12 such fortunate counties in May (March had seen only four south of the two-percent mark), and none during June or July.

□ The state's lowest July rate is 2.4% in Boone County (up from a 2.2% tie between Boone County, LaGrange County, Ohio County, and Steuben County in June). May had seen Boone County and LaGrange County tied for state-best rates at 1.7%, but higher than their respective 1.3% rates in April.

• After the gasoline use tax rate for August grew to a new record high, when the July 16 - August 15 survey period for the September gas sales tax ended, the average retail price per gallon of gas, sans taxes, for the one-month stretch was \$3.4215, down by approximately 77¢ per gallon from the record \$4.1934 per gallon determined in the survey period just one month earlier. That causes the gasoline use tax to dip by 5.4¢ to 24.0¢ per gallon for September, on top of the unchanged state gas sales tax that rose to 33¢ per gallon in July. Do the math, and you will calculate a state tariff of 75.4¢ per gallon in state and federal taxes as of September 1, the state's third-highest tax total on record, exceeded only by the June and July tab.

□ The 24.0¢ per gallon use tax ties for the state's fourth-highest ever. Indiana has now posted the seven highest back-to-back months of the gasoline use tax in history, and the first six-month (and full calendar-quarter) streak topping 20¢ per gallon. No year dating back at least to 2014, when we last saw Department of Revenue records, has seen any year start out with such a high gas tax (or even any calendar quarters, for that matter). Oddly, the most recent time the tax had dipped, from May to June, it also landed at 24.0¢ per gallon.

□ The gasoline use tax for September is up by 36.36% over the year (just shy of one-half of the record 73.2% over-the-year rate from July 2021 to July 2022). The still-ridiculously high rate comes just 27 months after the June 2020 rate of 7.6¢ was the lowest monthly rate since we've been keeping records back in 2014. The new amount is almost 2½ times the tax rate at the beginning of 2021 (and in the pandemic-impacted August 2020).

Gas Tax by Year and Monthly (in ¢)

Month	2022	2021	2020	2019	2018	2017	2016	2015
January	18.2	10.2	13.4	12.0	13.6	11.6	10.0	15.2
February	17.3	12.0	13.4	11.0	14.0	13.1	10.0	10.9
March	18.4	12.8	12.6	11.4	13.8	11.7	08.0	11.8
April	21.9	14.8	11.8	12.8	13.3	12.4	09.5	12.9
May	24.1	15.1	08.0	15.1	14.4	12.9	10.9	13.1
June	24.0	16.0	07.6	16.1	15.9	12.9	12.3	14.3
July	29.1	16.8	10.4	15.6	16.7	12.8	14.1	15.8
August	29.4	17.5	11.3	15.1	16.2	11.9	12.5	15.9
September	24.0	17.6	11.0	14.9	16.1	12.5	11.3	14.1
October		17.3	11.0	13.4	15.8	13.4	12.0	14.1
November		17.9	10.7	13.9	16.1	12.8	12.2	13.4
December		19.0	10.3	13.4	14.4	14.3	11.4	12.2

□ Hoosiers have now endured monthly gas taxes of at least 17¢ per gallon for 14 consecutive months for the first time in history. The variable gas tax has now hovered north of 10¢ for more than two full years. This is also the 20th month – a full 1½ years – since the end of 2014 in which the rate has been 16¢ or greater, and the 14th to top the 17¢ level, which, as we cautioned you last summer, appeared destined to stand as the new normal. The 18¢ level has now been breached for only the ninth time in recent history, and this has happened in nine of the past 10 months.

□ Through February 2021, the rate in each of the prior 11 months continued to be lower than those in force in the same months in 2019 or 2020, but then took a big turn in March 2021 and has continued along that expensive track. We have now endured a sustained period of 19 consecutive months – more than 1½ full years! – above prior-year levels for a streak which tops the September 2016 - December 2018 run.

- Governor **Eric Holcomb** (R) leads a trade mission to Taiwan and the Republic of Korea – announced only after he landed in Taipei, becoming the first U.S. governor to visit Taiwan since October 2019 – before the pandemic – and the first Indiana governor to travel to Taiwan in 17 years. His 12th international economic development trip as governor included visits with Taiwanese and South Korean government officials, business leaders and academic institutions to further strengthen Indiana’s economic, academic, and cultural connections with Taiwan and South Korea. The Governor signed a memorandum of understanding on economic cooperation with Taiwan’s Ministry of Economic Affairs in Taipei on Monday in the midst of meetings with representatives from Taiwanese semiconductor companies.

- The delegation includes Secretary of Commerce **Barry Chambers** and Indiana Economic Development Corporation staff, and Purdue University Dean of College of Engineering **Mark Lundstrom** and Chief of Staff **Alyssa Wilcox**, visited Taiwan over two days. They then then traveled to Seoul for two days (minus Dean Lundstrom), where Purdue University president-elect **Mung Chiang** joined the delegation in Seoul after the first days of the new academic year on Purdue campus. The delegation is slated to return to Indianapolis on Saturday, August 27.

- Governor Holcomb was “careful to avoid commenting on Taipei’s frictions with Beijing, which claims Taiwan as part of China and launched live-fire military drills in response to previous visits by U.S. lawmakers, including House Speaker **Nancy Pelosi**,” reports the *Wall Street Journal*. “Instead, he cast the visit as an opportunity to boost trade ties between Taiwan and Indiana. ‘It’s a timeless truth that who you partner with matters,’ Mr. Holcomb told Taiwanese President **Tsai Ing-wen** during their meeting. The people of Indiana and Taiwan ‘share so many common values, interests and goals,’ he added.”

- While the Guv played down the significance of the visit, the Daily Mail led its lengthy story on the ongoing China-Taiwan hostilities this way: “Indiana’s governor met Taiwan’s president Monday in yet another show of defiance against China which has escalated military drills around the island in recent weeks.” And it wasn’t just the media trying to gin up controversy. President Tsai used a meeting in her presidential office with the Hoosier delegation to not only emphasize that Taiwan is willing and able to strengthen cooperation with democratic partners in building sustainable semiconductor supply chains, but to reiterate that “at this moment, democratic allies must stand together and comprehensively strengthen cooperation, and expressed hope that Taiwan and the United States can work on the foundation of our existing collaboration to



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support each other and forge closer ties,” according to a release from the Taiwanese government. President Tsai specifically proclaimed that “This delegation carries profound significance for the deepening of Taiwan-US relations.”

“Taiwan and the United States are partners who both love democracy and freedom, and are key security and economic allies in the Indo-Pacific region. Taiwan-US relations have seen much progress in recent years. I have received many prominent US political figures from both sides of the aisle, as well as friends from think tanks and academic circles. Recently, this has included delegations led by House of Representatives Speaker **Nancy Pelosi** and Senate Foreign Relations Subcommittee Chairman **Ed Markey**, and now includes our dear friends from Indiana. These visits have had a profound impression on us. The broad spectrum of staunch US support for Taiwan is enabling us to further deepen Taiwan-US cooperation across a range of fields.”

□ Taiwan’s president noted the August 9 signing of the CHIPS and Science Act, which seeks to promote semiconductor research, development, and production and to bolster supply chain security (at the expense of China), adding, “With the passage of the act, Indiana stands to become a center for emerging technology within the US semiconductor industry. And Purdue University, an important academic institution in Indiana, has just established the Krach Institute for Tech Diplomacy and a Semiconductor Degrees Program.” “These developments align perfectly with those in Taiwan,” she said, dragging in a geopolitical element. “Our semiconductor industry plays a key role in global supply chains. We have worked with universities to establish four major semiconductor academies, accelerating the development of the next generation of tech talent,” she said. President Tsai continued: “Economic security is an important pillar of national and regional security. Taiwan is willing and able to strengthen cooperation with democratic partners in building sustainable semiconductor supply chains. Together, we can safeguard our common values and create even greater prosperity.” In closing, he then expressly referenced the diplomatic situation: “Presently, we are facing the continued expansion of global authoritarianism. In the midst of this, Taiwan has been confronted by military threats from China in and around the Taiwan Strait. At this moment, democratic allies must stand together and comprehensively strengthen cooperation.”

• L.S. Ayres, Parisian, Carson Pirie Scott . . . is the Indiana Economic Development Corporation next? We’re hearing that IEDC may be pondering a move from its prime perch at One North Capitol looking down on the State House to a longer tunnel trek from the State House to Circle Centre Mall, where it could be the latest tenant to help cement the shift from retail and restaurants to office space if it opts to fill some of the long-vacant footage most recently occupied by Carson’s – which shut down four years ago.

• The Indiana Economic Development Corporation is one of nine sponsors (among such names as CapitalOne, IBM, and Lenovo) of the *Fast Company* Innovation Festival in New York City September 19-22. IEDC also posts an advertorial in *Fast Company* Tuesday touting “How Indiana is charging ahead in EV and AV technology.”

• Here’s how Indiana stacks up to our neighbors in first quarter 2022 beer production, courtesy of the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau.

Beer, in Barrels – January 2022 - March 2022

State	Production	Bottles/Cans	Kegs	Premises Use
Indiana	45,699.56	34,570.25	10,422.93	11,247.71
Illinois	369,045.30	318,208.21	26,885.94	27,246.45
Kentucky	57,934.62	52,514.18	5,886.14	7,348.32
Michigan	349,137.96	209,636.66	59,672.62	27,006.70
Ohio	4,314,117.14	3,699,576.56	247,370.72	28,329.56

• The Purdue University-CME Group Ag Economy Barometer sentiment index rises by six points in July to a reading of 103 as producers are somewhat more optimistic about both current and future economic conditions on their farms than they were during June . . . but when asked to look ahead one year, almost one-half of respondents expect their farms’ financial condition to worsen in the upcoming year. The Index of Current Conditions grows by 10 points in July to 109 while the Index of Future Expectations adds four points to hit 100. The Purdue-CME Ag Economy Barometer sentiment index is calculated each month from a telephone survey of 400 U.S. agricultural producers. This survey was conducted from July 11-15, 2022. Although all three indices improve during July, they remain almost one-quarter shy (23% - 24%) if where they stood one year earlier. Farm operators in July’s survey voice concerns about several key issues affecting their operations. Producers’ top concerns for the upcoming year continue to focus higher input prices (42% of respondents), followed closely by lower crop prices (19% of respondents), rising interest rates (17% of respondents), and availability of inputs (15% of respondents).

□ Producers’ expectations for their respective farms’ financial performance improves in July, with the Farm Financial Performance Index – which is primarily reflective of income expectations for the current year – growing by five points from June to a reading of 88. Improvement in the index is attributed by researchers to “a small shift in responses away from expecting worse performance in 2022 than last year towards expecting better financial performance than in 2021.” The modest rise in the index was surprising to the Barometer scientists given that key commodity prices – including wheat, corn, and soybeans – all weakened during the month separating data collection for the June and July surveys. However, when asked to look ahead one year from now, there was virtually no change in

producers' responses to the July vs. the June surveys. In July, 49% of respondents said they expect their farm to be worse off financially one year from now, which compares to 51% of respondents who felt that way in June. This is a markedly more pessimistic outlook, researchers note, than producers provided one year ago when just 30% of respondents said they expected their financial condition to worsen in the upcoming year.

□ Although producers still expect sharp increases in crop input prices in 2023 compared to 2022, their views appear to have moderated somewhat, with more producers expecting input prices to retreat in the coming year while fewer producers expect prices to rise sharply in July than assumed that view one month earlier. During July, 18% of crop producers said they expect 2023's crop input prices to decline between one percent and 10% compared to 2022's prices vs. just 12% of producers in June who expected prices to decline next year. On the other end of the spectrum, 26% of July respondent expect 2023 prices to rise by 10% or more vs. 38% of crop producers who foresaw a crop input price rise of that magnitude in the June survey. Perhaps the real story, researchers suggest, is the tremendous uncertainty among producers regarding what input prices are likely to be in the upcoming year.

□ July marks the fourth consecutive month in which the barometer survey included a question asking ag producers about their expectations for the rate of inflation in consumer items over the upcoming year. Compared to responses received in April through June, producers' expectations for inflation show signs of moderating in July, with more producers looking for inflation to average less than three percent, and fewer producers expecting inflation to exceed 10 percent. In July, 11% of respondents expect an inflation rate of less than three percent while 26% of ag producers think inflation will exceed 10 percent. These results compare to results from April through June when an average of seven percent of producers expected the inflation rate to be less than three percent, and just under one-third (32%) of respondents told surveyors they expected the rate of inflation to exceed 10 percent.

□ The Farm Capital Investment Index remains near its record low, virtually unchanged in July with a reading of 36 compared to 35 in June. July's reading, the fifth month in a row in which the investment index was mired in the mid-30s, was 28% lower than one year earlier. Results from a new question included in July's survey shed some light on why producers view now as a poor time to make large investments in their farming operation in the face of strong farm machinery, building, and bin sales. Respondents who said now is a bad time for large investments were asked for the primary reason they felt that way. The most common response, chosen by 44% of those respondents, was "increase in prices for farm machinery and new construction." Uncertainty about farm profitability is chosen by 15% of respondents, while 14% of respondents select rising interest

rates as the primary reason they viewed now as a bad time for large investments. Somewhat surprising to the research team: only seven percent of respondents chose "tight farm machinery inventories at dealers" as their primary reason for responding negatively to the investment question.

□ Forty-two percent of corn and soybean producers in the July survey expect cash rental rates to rise in 2023, down from 52% of respondents who said they were looking for rates to rise in the June survey. The magnitude of the rental rate increase expected by those respondents who think rates will rise was smaller than in the June survey, seemingly suggesting that weaker commodity prices and high input costs could hold back rental rate increases. Among those respondents expecting rental rates to rise, 23% expect an increase of less than five percent, while 34% expect the rate increase to exceed 10%. In June, 18% expected a rental rate increase of less than five percent, while 42% anticipated rates to rise by more than 10 percent.

□ Producers' views on farmland values diverge during July as the Short-Term Farmland Value Index declines by nine points to 127 . . . while the long-term index rises by nine points. July marks the second consecutive nine-point plunge in the short-term index leaving it 20% below its 2021 peak reading. Purdue researchers primarily attribute weakness in the short-term index during the last two months to a shift away from expecting higher farmland values to a mindset expecting values to remain about the same. The rise in the long-term index is believed to have occurred due to a shift away from expecting values to decline to values rising over the next five years. The farmland indices don't always move in tandem, researchers point out, but they find the magnitude of the July divergence between the short and long-term indices to be unusual. Producers who expect values to rise over the upcoming five years continue to suggest that the two primary reasons they expect values to rise are non-farm investor demand and inflation.

□ Something to watch: the rise in input costs is leading some producers to reassess cropping plans for the upcoming year. Almost one out of four (24%) of crop producers tell July surveyors that as a result of the rise in input costs they plan to change their farm's crop mix in 2023. This figure is up from June when only 19% of producers said they planned to make changes in their crop mix for 2023. In a follow-up question, which was posed only to producers planning to adjust their crop mix, regarding what will be the biggest change in their crop mix, more than one-half (53%) of respondents say they plan to increase the percentage of their cropland devoted to soybeans. In a separate set of questions, 26% of producers who told surveyors they planted winter wheat last year said they plan to increase their wheat acreage this fall. This changed little from June when 24% of winter wheat producers in our survey said they planned to increase their wheat acreage for harvest in 2023.

- Hoosier farmers anticipate harvesting a record soybean yield this year. Indiana farmers planted 5.83 million acres of soybeans, up by 190,000 acres from last year, according to the U.S. Department of Agriculture National Agricultural Statistics Service Indiana Field Office. Soybean yield is forecast at 60 bushels per acre, up 0.5 bushels from 2021. If realized, this will set a new state record by 0.5 bushels per acre. Total production is forecast at 350 million bushels, up by four percent from 2021 due to larger yields and more acres planted.

- Indiana farmers also planted 4.95 million acres of corn, an amount down by 320,000 acres from the prior season. Indiana's average corn yield is forecast at 189 bushels per acre, down by six bushels from the previous year. Total production is forecast at 936 million bushels, down nine percent from last year on both lower yields and fewer acres planted.

- Winter wheat yield is estimated at 82 bushels per acre, unchanged from the previous forecast and three bushels below last year's figures. Winter wheat production is forecast at 20.5 million bushels, down by 11% over the year due to smaller yields and fewer acres planted.

- New applications for unemployment insurance for the week ending August 20 decrease by 2,000 (to 243,000) from the prior week's downward revised level, but the weekly figure has been trending up since sinking to a 50-year low in March. The past two weeks interrupt a consecutive-week national increase, but we have still seen increases in five of the past eight weeks. Claims nationally continue to remain relatively steady near the highest level of the year (hit in mid-July), hovering well north of the 2019 pre-pandemic weekly average (218,000), and suggesting that the tight labor market continues to limit layoffs even as the broader economy has seemed to throttle back amidst inflationary concerns.

- Indiana records 4,103 initial UI claims – a proxy for layoffs – for the week ending August 20, down by 1,206 claims (22.72%) from the final prior-week figure of 5,309, which itself was revised down by 68 claims (- 1.27%). Indiana's mysterious streak of downward adjustments versus the preliminary estimate extends now to 36 weeks in a row – nine full months – a phenomenon that continues to be noted by Department of Workforce Development officials. DWD believes the issue is related to the timing of the input of claims for Indiana compared to how our neighboring states process their respective claims. None of our neighboring states see prior-week initial claims numbers ratcheted down from preliminary estimates for a second consecutive week.

- The final numbers for the week ending August 6 showed Indiana ranked fifth nationally and first in the Midwest in the

largest increases number of initial claims (582), while Michigan (- 1,075) posted the nation's second-largest decrease. For the week ending August 13, Indiana posts the nation's third-largest hike in initial claims (691), and Michigan is fifth (318).

- Illinois is the sole state in our cohort to experience an over-the-week increase in initial UI claims. Kentucky maintains the lowest number of initial claims among our bloc for a 13th consecutive week – more than three straight months – after Indiana held those the honors during the middle two weeks of May (that distinction had followed the Bluegrass State ranking lowest among our adjacent states for seven consecutive weeks).

- Indiana remains second-lowest among our bloc after trailing Illinois and ranking third during the week ending July 9, which had been the lowest rank that we could recall for the Hoosier State in recent months.

Initial UI Claims (by week ending)

State	08/20	08/13	08/06	07/30	07/23	07/16	07/09
Indiana	4,103	5,309	4,618	4,036	4,013	5,383	7,148
Illinois	6,849	6,456	6,938	6,364	7,397	7,567	6,932
Kentucky	1,476	1,625	1,785	1,574	3,775	2,724	4,631
Michigan	5,266	6,031	5,713	6,788	8,213	10,219	11,423
Ohio	6,215	6,246	7,907	7,621	9,261	11,132	14,765

- During the week ending April 23, for the first time since February, none of our neighbors registered initial claims in the five-figures. The next time that phenomenon occurred was during the week ending May 21, and it continued during the next two weeks. From the week ending June 11 through the week ending July 16, at least one adjacent state topped 10,000 in initial UI claims, but none has done so since then.

- Initial claims for unemployment in Indiana for the week ending July 9 jumped above comparable prior-year initial claims for the first time in well more than a year (since the week ending March 13, 2021, the final week in a lengthy streak of over-the-year increases in claims, a run effectively precipitated by the pandemic comparison). This broke a streak of 67 consecutive weeks – more than 16 months – featuring an over-the-year decline in Indiana's initial UI claims . . . but beginning with the week ending July 16, we saw a return to an over-the-year decline in initial claims. During the week ended June 30, we also saw the largest percentage decline from prior-year figures since mid-April, down by almost 60% (- 58.30%).

- Now that we're one year out from the end of the first year of post-pandemic employment issues (and at the end of a state fiscal year), we've transitioned the following table into more of a quarterly-ish review (and we are considering truncating it further going forward).

<u>Week Ending</u>	<u>No. of UI Claims</u>	<u>% Change vs. Prior Year</u>
08/20/2022	4,103	(34.4%)
08/21/2021	6,254	(41.0%)
08/22/2020	10,597	432.8%
08/13/2022	5,309	(18.7%)
08/14/2021	6,531	(43.6%)
08/15/2020	11,569	466.3%
08/06/2022	4,618	(35.0%)
08/07/2021	7,101	(33.2%)
08/08/2020	10,624	321.9%
07/30/2022	4,036	(58.3%)
07/31/2021	9,678	(22.9%)
08/01/2020	12,551	489.5%
07/23/2022	4,173	(34.3%)
07/24/2021	6,106	(69.7%)
07/25/2020	20,129	881.4%
07/16/2022	5,283	(17.1%)
07/17/2021	6,370	(64.4%)
07/18/2020	17,911	684.5%
07/09/2022	7,148	8.2%
07/10/2021	6,608	(76.7%)
07/11/2020	28,360	704.1%
06/25/2022	3,839	(39.7%)
06/26/2021	6,371	(85.8%)
06/27/2020	44,827	1,914.7%
06/18/2022	4,314	(14.2%)
06/19/2021	5,030	(84.2%)
06/20/2020	31,885	1,396.5%
06/11/2022	3,626	(21.1%)
06/12/2021	4,594	(80.9%)
06/13/2020	24,017	1,032.9%
06/04/2022	3,315	(35.1%)
06/05/2021	5,106	(77.7%)
06/06/2020	22,931	712.9%

- Residents of Indiana owe a cumulative \$29.8 billion in federal student loan debt as of December 2021 with an average balance for federal and private student loan borrowers of about \$30,500. Watch to see if discretionary spending in Indiana increases now with the President's \$10,000 per person debt forgiveness program (for most with loans) . . . and if it contracts again when those with such debt obligations resume federal student loan payments in January 2023 after the final payment pause ends.

- AM General LLC of South Bend is awarded a \$732,741,016 modification to a U.S. Army Contracting Command contract for production of High Mobility Multipurpose Wheeled Vehicle Expanded Capacity Vehicle variants with an estimated completion date of December 31, 2024.

- Wittenberg Lutheran Village, Inc. will close and lay off more than 70 employees from its Crown Point skilled nursing facility beginning October 9 . . .

- Applied Laboratories seeks a pair of 10-year tax abatements from the Columbus City Council for a planned investment of \$7 million in a 45,000-square-foot expansion of its Columbus warehouse facilities: \$4 million in real property improvements and \$3 million in business personal property. The expansion is expected to create 10 new jobs by 2024 . . . the St. Joseph County Council approves a declaratory resolution establishing an economic revitalization area inside the Indiana Enterprise Center for a potential investment of more than \$2 billion by Ultium Cells LLC (a General Motors-LG Energy Solutions consortium) in an electric vehicle battery-manufacturing facility – which would be Ultium's fourth (in addition to Michigan, Ohio, and Tennessee) – being considered for a 700-acre greenfield site outside New Carlisle. The facility could employ as many as 1,800 people. The St. Joe site is not the only one under consideration by Ultium . . . Andretti Global, the parent company of Andretti Autosport, plans today to invest \$200 million to build a modern, 575,000-square-foot facility on 90 acres in Fishers near the Nickle Plate Trail, Ritchey Woods Nature Preserve and Indianapolis Metropolitan Airport that will serve as its universal motorsports, expecting to create up to 500 new jobs by the end of 2026. The new development will serve as the headquarters of Andretti's global commercial functions and the base of operations for the team's current NTT INDYCAR SERIES, Indy Lights and IMSA programs, as well as other future racing initiatives. In addition to housing day-to-day operations for the racing team, the building will be home to the advanced research and development efforts of Andretti Technologies. The Indiana Economic Development Corporation is expected to commit up to \$19 million in the form of performance-based tax credits and up to \$125,000 in training grants. The City of Fishers approves additional incentives . . . in Richmond, Vandor Group, Inc., a manufacturer of burial casket components, is expanding its footprint, investing a total of \$2.8 million in a Reel Options new product line expansion and adding 17,750 square feet to its Vandor Funeral Products facility, expecting to create almost 30 new full-time jobs over the next three years. Vandor will receive a \$38,000 Economic Development Income Tax (EDIT) grant from the Economic Development Corporation of Wayne County to help offset the cost associated with the purchase of machinery and equipment, and existing building improvements. The company has also received property tax abatements from Richmond Common Council. A request for EDIT funds will now go before the Wayne County Board of Commissioners for their consideration . . . Dot Transportation, Inc., a division of Dot Foods, Inc., is also in line to receive an EDIT grant totaling \$86,000 from the Economic Development Corporation of Wayne County to assist with its Earn to Learn semi-truck driver training program and help fund capital investments at

its Indiana Gateway Industrial Park facility, just off I-70 at the Cambridge City/Hagerstown exit. Dot plans to invest a total of \$5.5 million, and expects to create 43 new full-time semi-truck driver positions by 2025. Average pay for a full-time Dot driver can be \$80,000 or more in their first year. Dot drivers can earn \$107,000 annually after their first year plus benefits . . . Tennessee-based waste-to-energy startup company ZrO Waste Group plans to invest \$41.9 million in a manufacturing plant in Mooresville that it expects to employ almost 260 people by 2030, reports **John Russell** in the *Indianapolis Business Journal*. The Indiana Economic Development Corporation commits up to \$2.5 million in performance-based tax credits . . . looking to attract and retain seasonal workers, Holiday World in Santa Claus is investing \$6.7 million in a housing complex project for its employees.

IN Transition

• The Governor taps **David J. Adams** as the new commissioner of the Department of Workforce Development. You may remember him as the first executive director of the Indiana Public Retirement System in the Daniels Administration, from 2005-07. Since 2017 Adams has served as the chief innovation officer at the University of Cincinnati, where he is the leader of the Cincinnati Innovation District, which connects the economic engine of the university to global, mid-sized and small companies with a focus on growing, attracting, and retaining talent. In addition to his efforts at the University of Cincinnati, he was chief administrative officer at the University of Louisville and served as the CEO of the Institute of Product Realization. He was a founding member of the Enlace Academy in Indianapolis and is a member of the board of directors of the Purdue Research Foundation. He's also a board member of REDI Cincinnati, the Cincinnati USA Regional Chamber and CincyTech.

□ Adams will join DWD on September 19. He replaces **Fred Payne**, who stepped down to become president and CEO of the United Way of Central Indiana.

• Indiana University alum **Caroline Ellert** joins the office of U.S. Rep. **André Carson** (D) as his new communications director from the City of Indianapolis' Office of Public Health and Safety, where she served as chief communications officer. Previously, Ellert was the executive director of the Marion County Democratic Party and director of constituent services for Indianapolis Mayor **Joe Hogsett** (D). She will work out of the Washington, D.C. office.

• The Governor selects Brownsburg Fire Territory Fire Marshal **Stephen Jones** to serve as the Indiana state fire marshal. Jones brings 38 years of experience to the post, beginning his career as a firefighter and emergency medical technician in 1984 in central Indiana. He became a career

firefighter in Pike Township (Marion County) in 1989 and served as deputy fire marshal, safety and training officer, HAZMAT training coordinator, fire inspector, deputy chief of administration, and division chief of prevention services. In 2013, he became fire marshal in Brownsburg, where he oversees building code enforcement, fire investigation and public education and community risk reduction.

□ Jones, who starts in his new role August 29, succeeds **Joel Thacker**, whom the Governor named executive director of the Indiana Department of Homeland Security in June.

• Monticello Mayor **Cathy Gross** (D) becomes president of the Indiana Conference of Mayors. Madison Mayor **Bob Courtney** (R) will serve as vice president.

• Eric Berman follows a generation of service in the news business at WIBC radio and Network Indiana by porting his encyclopedic knowledge of state history and elections to a new role as communications director for the Indiana State Medical Association.

• The Midwest Regional Office of the U.S. Department of Commerce National Telecommunications and Information Administration (NTIA) is the new home for a trio of Hoosiers. **Phil Lehmkuhler**, a **Lee Hamilton** congressional staff alum who worked for the Indiana Municipal Power Agency and was the Indiana state director of rural development for the U.S. Department of Agriculture is the new Midwest regional director for NTIA.

□ Lehmkuhler is joined at NTIA by former Rep. **Mara Candelaria Reardon** (D) – who will serve nationally as deputy director of public engagement – and **Graham Fishell**, who leaves his post as chief of staff for Indiana House Democrats to become NTIA broadband director for Indiana.

• U.S. Secretary of Commerce **Gina Raimondo** appoints Indiana Secretary of Commerce **Brad Chambers** to the U.S. Investment Advisory Council. Secretary Chambers joins a group of 34 international business and economic leaders who will advise Secretary Raimondo on how government policies and programs affect the United States' ability to attract and facilitate foreign business investment.

• The President appoints **Susan Lynn Gibbons** as a member of the National Museum and Library Services Board. Gibbons is vice provost for collections and scholarly communication at Yale University, and has held library positions at Indiana University from which she earned an M.L.S and an M.A. in history, among her other degrees.

• **Taylor Schaffer** will leave her post as chief of staff for Indianapolis Mayor **Joe Hogsett** (D) to lead Downtown Indy.

IN the Lobby

- **Trevor Vance** and **Chris Mitchem**, previously of Bose Public Affairs Group, are the co-owners of VanceMitchem Public Affairs, Indiana's newest lobbying firm. Vance and Mitchem will serve clients in multiple policy sectors, ranging from energy, agriculture, alcohol, education, manufacturing and transportation, among others. Vance will serve as CEO while Mitchem will assume the role of president. Vance brings more than 25 years of association and multi-client experience to the new partnership (the last 15 at Bose), while Mitchem previously worked for four House Republican committee chairs and had a brief stint at the Indiana Hospital Association.

- Hobart Hallaway & Quayle Ventures, LLC is retained for federal lobbying by Altria Client Services LLC of Richmond, Virginia, which describes its business as "client services for parent company of manufacturers." Hobart Hallaway will lobby Congress on "Implementation of the Family Smoking Prevention and Tobacco Control Act (P.L.111-31)."

- Hall, Render, Killian, Heath & Lyman, P.C. files a federal lobby registration on behalf of the Hall Render 340B Collaborative (informal coalition of hospitals and providers), to lobby Congress on "340B drug pricing program."

- Taft Stettinius & Hollister LLP dba Taft Advisors LLC files a federal lobby registration on behalf of a "Sustainable materials management" entity, Covanta Holding Corporation of Morrison, New Jersey, to lobby Congress on "Waste to Energy policy."

- Ice Miller LLP adds **Joe Heaton** to its Public Affairs Team as a senior director of public affairs. The attorney will be based in Washington, D.C. Prior to joining Ice Miller, Heaton served as the executive director of government affairs for Forian Inc., a software solutions, proprietary data and predictive analytics business for healthcare, cannabis, and governmental entities. He also served as the senior director of federal affairs of the Beer Institute after working for both U.S. Rep. **Mike Turner** (R-OH), the top Republican of the House Permanent Select Committee on Intelligence, and former U.S. Rep. **Jon Runyan** (R-NJ).

IN Court

- Seven judges and five attorneys apply for consideration for the opening on the Indiana Court of Appeals created by the elevation of Judge Derek R. Molter to the Indiana Supreme Court. The 12 applicants will be interviewed September 27:

9:30 a.m. - 9:50 a.m.	Paul C. Sweeney, Carmel
9:50 a.m. - 10:10 a.m.	Hon. Dana J. Kenworthy – Judge, Grant County Superior Ct. 2
10:10 a.m. - 10:30 a.m.	Zachary J. Stock, Carmel
10:45 a.m. - 11:05 a.m.	Hon. Lisa L. Swaim – Judge, Cass County Superior Court 2
11:05 a.m. - 11:25 a.m.	Carol N. Joven, Indianapolis
11:25 a.m. - 11:45 a.m.	Brad A. Catlin, Carmel
12:00 p.m. - 12:20 p.m.	Andrew R. Falk, Indianapolis
12:20 p.m. - 12:40 p.m.	Hon. Jennifer P. Harrison – Judge, Marion County Superior Ct. 20
1:50 p.m. - 2:10 p.m.	Hon. Stephen R. Creason – Magistrate, Marion County Circuit Ct.
2:10 p.m. - 2:30 p.m.	Hon. Ryan K. Gardner – Judge, Marion County Superior Ct. 10
2:45 p.m. - 3:05 p.m.	Hon. Paul A. Felix – Judge, Hamilton County Circuit Court
3:05 p.m. - 3:25 p.m.	Hon. Marc T. Rothenberg – Judge, Marion Co. Superior Ct. Civ. Div. 7

