

# The Voter



League of Women Voters  
of Brown County

December 2018



## December 10

LWVBC Board meeting 10am-12pm Lower level library  
Visitors and Members Welcome  
second Monday each and every  
month

Brown County Council, Boards & Commissioner meeting dates, times and location can be found at:

<http://browncounty-in.gov> Or  
[browncountymocrat.com](http://browncountymocrat.com)

## January 16

10:00 am 3:00 pm

Indiana State Library  
315 W Ohio St  
Indianapolis, IN 46202

League Day at the Statehouse. Before you come, set up appointments with your Indiana representatives at the Statehouse and advocate for issues that affect your League and your community. Redistricting reform is our top priority but we encourage you to bring to them all your concerns including women's health, education, natural resources and gun safety. Our LWVIN State Advocates will be on hand at our room at the Indiana State Library to give you support and answer any questions you may have. Many more details to follow.

## February

Meet Your Legislator

TBA

decisions  
are  
made by  
those  
who  
show up.

## In This Issue

- Calendar
- Signed Into Law 2018
- Right to Assemble

# SINGNED INTO LAW BY THE GOVERNOR 2018

**Abortion clinic requirements** Healthcare providers are now required to report any complications arising from an abortion to the state department of health, under Senate Enrolled Act 340. Holcomb signed the measure into law on March 25.

The act also allows fire stations to use baby boxes, devices that allow people to anonymously surrender their healthy newborn without fear of criminal prosecution.

**Killing a fetus** Holcomb signed a bill March 25 that would allow prosecutors to file murder, manslaughter or feticide charges against someone who kills a fetus at any stage of development.

The bill does not apply to lawful abortions or to the pregnant woman carrying the fetus. Anti-abortion groups see the measure as a win, because it places value on the life of a fetus, regardless of gestational age.

**Cannabidiol oil (CBD)** Holcomb signed a bill that would legalize cannabidiol, a low-THC cannabis extract that some people use to treat pain.

Some lawmakers were concerned the labeling requirements in the final version of Senate Enrolled Act 52 were too stringent and would cut manufacturers out of the industry, driving up the cost that consumers would pay for the product.

However, Holcomb said the bill "provides much needed clarity."

**Sexual harassment training** A measure that requires Indiana lawmakers to set a sexual harassment policy for themselves — including procedures for investigating harassment allegations against lawmakers — was signed into law March 22.

The legislation, House Enrolled Act 1309, also requires all 150 lawmakers to complete one hour of sexual harassment prevention training each year.

The changes come amid a wave of sexual misconduct allegations against powerful men in public office, Hollywood, sports and the media.

**Civil forfeiture** Holcomb signed a bill that updates civil forfeiture laws in Indiana. Under Senate Enrolled Act 99, prosecuting attorneys would have to file an affidavit of probable cause within seven days of seizing property. That property would be returned if the court doesn't find probable cause.

Previously the state could hold property for up to six months, or file a claim to hold it until after the case is concluded. Last August, a U.S. District Court chief judge ruled that Indiana's forfeiture laws violated the Fifth and Fourteenth amendments.

**Professional licenses for DACA recipients** The state will once again begin awarding professional licenses for DACA recipients, often called Dreamers.

The measure was a response to recent changes the Indiana Professional Licensing Agency made to its application forms that effectively blocked Indiana's roughly 9,000 DACA participants from getting or renewing licenses in more than 70 occupations, from hair styling to architecture to nursing.

DACA participants are young immigrants who were brought to the United States illegally as children but have been granted legal work status under the federal Deferred Action for Childhood Arrivals program.

**Software sales tax** Technology companies that sell software as a service are no longer required to collect sales taxes under Senate Enrolled Act 257, which Holcomb recently signed into law. The measure, which makes Indiana one of only four states to exempt software as a service in state statute, was part of Holcomb's agenda.

**Sex education** Parents will have two opportunities to opt their children out of sexual education in school. Senate Enrolled Act 65 mandates schools to send a notice home to parents, allowing them to opt out. It also requires schools to give a summary of the content and nature of the instruction. Sen. Dennis Kruse, R-Auburn, wanted to see an opt-in provision, but settled for a compromise version of his bill, which the governor signed.

**Eyeball tattoos** Eyeball tattooing is a procedure that permanently dyes the whites of a person's eyes. Some health professionals say it can also cause damage. A bill that would outlaw the practice passed the House and Senate and Holcomb signed it into law.

**Treatment Centers** Holcomb made fighting the opioid epidemic a priority again for the 2018 legislative session. One of his goals was to add nine additional addiction treatment centers in the state, so that Hoosiers won't need to drive more than an hour to get help.

Holcomb signed House Enrolled Act 1007, which authorizes the creation of the treatment centers and expands flexibility for mental health worker licensing. The bill does not include any new funding for addiction treatment.

He signed a number of other opioid-related measures, such as an act requiring certain health care professionals to use the state's prescription database, in order to prevent over-prescribing addictive medication, and increasing the penalties for someone selling drugs that result in death.

**School funding** A fix for the projected \$22 million school funding gap has been signed by the governor.

Lawmakers passed a deal to close the gap for this year and the next. It will allow the state budget agency to transfer up to \$25 million from the tuition reserve fund this year and up to \$75 million next year to cover the gap. The fund has about \$350 million in it right now.

The measure also will close a loophole that some schools used to offer kindergarten to four-year-olds and require new reporting on the use of virtual schools.

**Single diploma** Indiana will switch to a one-diploma system this spring — just in time for 2018 high school graduates. The main difference will be in name only; the change condenses the state's four existing diplomas into one diploma with designations for students who meet different academic requirements. The change is a response to new federal guidelines that otherwise would have discounted about 8,000 diplomas with lower academic standards and tanked the state's high school graduation rate in federal reporting.

**Computer science** Holcomb signed Senate Enrolled Act 172, accomplishing one of his top priorities this year: getting computer science classes into every school in an effort to better prepare kids for the "jobs of the future." It requires high schools to offer a computer science elective and mandating it be part of the curriculum in all public schools.

**I-69 delays** House Enrolled Act 1374 would stop the state from entering into contracts with companies like I-69 Development Partners, the entity charged with building the 21-mile stretch of I-69 from Bloomington to Martinsville, before the state took the project back over.

Under the measure signed by Holcomb, the Indiana Finance Authority can only choose companies that have completed similar projects in North America during the past two years, when entering into a public-private partnership. The I-69 public-private partnership resulted in two years' worth of delays and criticism from the Bloomington community where it tied up traffic.

**Sunday alcohol sales** Eric Holcomb signed Senate Bill 1 into law on Feb. 28, allowing Sunday alcohol sales from noon to 8 p.m. at grocery, drug, convenience and liquor stores.

All of this came after liquor stores and big box retailers struck an unlikely deal under which they agreed to support Sunday sales but oppose expanded cold beer sales.

Senate Enrolled Act 24 was one of the first bills sent to Gov. Eric Holcomb, and he signed it into law on March 7. It allows kids to bring sunscreen lotion to school without a doctor's note and without having to lock it up in the nurse's office or other secure location.

**Airbnb regulations** Last year, lawmakers couldn't come to an agreement over how heavily short term rentals, usually Airbnb rentals, should be regulated. This year, they finally did.

Holcomb signed House Bill 1035, which prohibits bans on short term rentals, but allows local governments to charge a fee of up to \$150, and allows them to enforce minor rules. The act also grandfathered in local governments that adopted ordinances prior to 2018. That wouldn't include Carmel, which passed an ordinance in January.

**Workforce development** Holcomb signed a pair of bills dealing with job training, one of his top priorities for the 2018 legislative session.

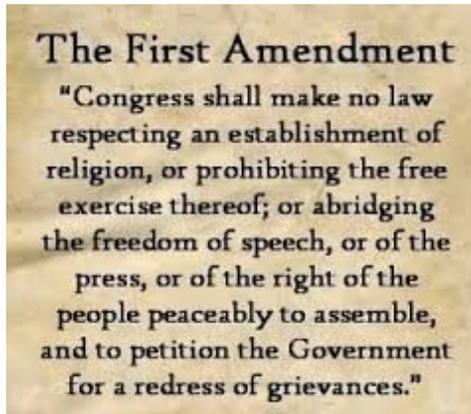
One added \$5 million to a job training grant program and requires an evaluation of the state's 30 workforce development programs.

The other creates a new Secretary of Workforce Training and a new cabinet to oversee those programs, which are now spread across nine state agencies.



In addition to the freedoms of speech, religion and the press, the First Amendment provides for “the right of the people peaceably to assemble, and to petition the government for a redress of grievances.” The right to assemble was firmly rooted in English law; it first appeared in the Magna Carta, which recognized the right of (certain) nobles to petition the king; much later, Parliament extended the right to every British subject. The US Supreme Court held in 1937 that the right to peaceably assemble “for lawful discussion, however unpopular the sponsorship, cannot be made a crime.”

The right to assemble is not unlimited. The government has the to impose content-neutral, reasonable time, place and manner restrictions on demonstrations. The Supreme Court has held that government ownership of property does not automatically open that property to the public; in fact, the Court has given the government more authority to regulate expression when that expression takes place on government premises. For example, government officials can limit protest in public buildings such as courthouses and government offices in order to continue routine operations. When demonstrators plan to use public streets or sidewalks, local government s can require permits and designate routes in order to address traffic concerns and ensure public safety; however, permit restrictions and fees must be reasonable and the government cannot refuse permits to disfavored groups, no matter how pernicious their message.



It’s important to remember that the First Amendment protects the right to peaceably assemble. Protestors can be arrested for acts of civil disobedience, such as blocking traffic, or for other unlawful behaviors.

When we think about assembling today, images of the Tea Party or Occupy Was Street may com to mind, but this right to demonstrate, to engage in public protest, has been an important part of the American story for a long time. It protected union organizers and facilitated the civil rights movement of the late 1950s and early 1960s and the gay rights movement of our own times. It has also protected those who have tried to derail those movements. Demonstrations—sometimes called “symbolic speech” - are part of the broad umbrella of expressive freedom that the Founders believed to be essential to ordered liberty. Protecting the right of citizens to com together to protest perceived injustices or highlight social problems is yet another “check” on the power of the government. It empowers citizens to demand that their concerns be heard, if not necessarily addressed.

Kennedy, Sheila Suess, author Washington, DC : Georgetown University Press, 2016

## LEAGUE OF WOMEN VOTERS

Making Democracy Work

Grassroots leadership since 1920

Educate Advocate Empower Reform

The League of Women Voters is a nonpartisan political organization that encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. Membership is open to women and men.

The League does not support or oppose any political party or candidate.

We cordially invite you to join us and encourage you to learn more about the League of Women Voters by attending our meetings and other events, including our Meet the Candidates, Meet Your Legislators and other community forums. Membership is not required to attend these meetings and events.

For more information please visit [www.lwvbrowncounty.org](http://www.lwvbrowncounty.org). To join, download the Membership form, or send in a check with contact information to LWVBC PO Box 74 Nashville, In. 47448. Annual dues: \$50/single; \$85/ couple;420/ friend. Dues include membership in the nations, state and local leagues. For more information, please call or email Shari Frank, LWVBC Acting President, 949-235-2171; [shari.r.frank@gmail.com](mailto:shari.r.frank@gmail.com)

VOTE:

Your Right. Your Responsibility.

