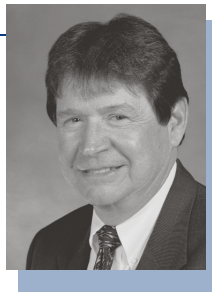
Clyde Kersey

Indiana State Representative, District 43



Spring, 2002

Dear Friends:

The 2002 short legislative session has ended. While we passed several important pieces of legislation, I am disappointed we did not reach agreement on a major tax restructuring plan or address the state budget deficit.

I voted for a plan in the House that would have offset expected property tax increases, created a better climate for economic growth and addressed the current state budget deficit intensified by the national recession. I believe this proposal, while not perfect, answered some of the questions about fairness and equity that have long plagued our tax systems.

I thought we should confront these issues now rather than later if we are to avoid cutting important state services, including funding for public education. Unfortunately, Republicans in the Indiana House and Senate did not share this opinion, and we were unable to establish a compromise in the closing days of the session. It concerns me that the Republicans are unwilling to do anything to address the short-term financial stability of our state. I remain hopeful that we can reach some consensus on these issues in the coming months before deeper, more painful cuts become necessary.

Despite my concerns about the budget deficit and taxes, I am pleased we did enact several proposals to help a variety of Hoosiers. We passed landmark public safety and anti-terrorism legislation, enacted important provisions that protect children and approved several health care initiatives. I have detailed a number of those new laws inside this newsletter.

Please contact me if you have questions or concerns about state government. You can e-mail me at H43@in.gov or call toll free at 1-800-382-9842.

Sincerely,

Clyde Kersey

Contact Representative Kersey

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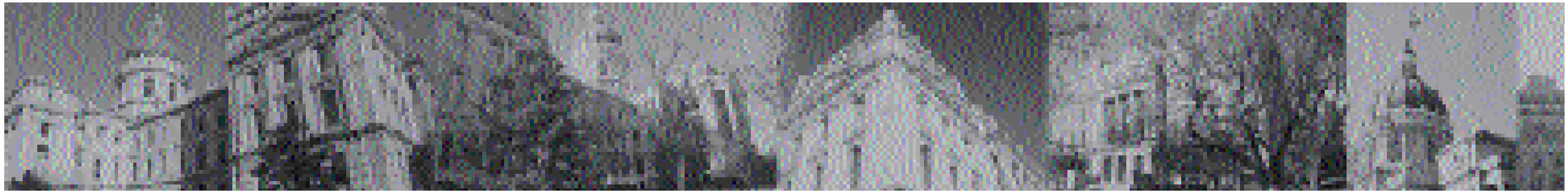


Other laws address terrorism and its aftermath

REP. KERSEY ADDRESSES THE HOUSE.

Aircraft offenses
Senate Bill 10 permits the use of reasonable force to stop a person from hijacking or seizing unlawful control of an aircraft in flight. The bill also makes it a felony to enter a secured area of an airport, use force or violence to hijack an aircraft in flight or commit criminal confinement on an aircraft.

Nerve agents
Last year's anthrax scare evidenced the need for greater security against chemical and biological warfare. House Bill 1029 requires the adoption of rules to establish training and certification standards to allow emergency medical technicians in certain counties to administer antidotes for exposure to VX nerve agents.

Victim tax relief
For those personally affected by the events of September 11, the Legislature passed Senate Bill 50, which excludes from state income tax any compensation paid to an attack victim's spouse or child.

Legislature stands together on public safety laws

Lawmakers act against terrorism, other threats

After the terrorist attacks of September 11, officials across the country took a serious look at the ability of local emergency systems to respond to a similar threat. The members of the Indiana General Assembly passed several laws during this session to help meet the challenge of our new defense requirements.

House Bill 1001 establishes a Counter-Terrorism and Safety Council (C-TASC) that will serve as the coordinating state agency for emergency management response to terrorist acts. Chaired by the lieutenant governor, the council will develop anti-terrorism strategy, including placing an affiliate of the council in each county, coordinating efforts with the U.S. Office of Homeland Security, and implementing counter-terrorism training in the state law enforcement academy.

THIS AMERICAN FLAG HANGS IN THE ROTUNDA OF THE STATEHOUSE.

Part of a $1.25 BMV service charge will be used to develop an integrated wireless public safety system to help connect agencies across the state in case of an emergency (see article on Project Hoosier SAFE-T). A portion of the service charge will also be used to alleviate the state police crime laboratory backlog.

The law includes penalties for several terrorist and public safety issues, including:

- money laundering to support terrorist activities
- restrictions on the issuance of commercial driver's licenses and hazardous materials endorsements
- penalties concerning regulated explosives or devices, the possession of a weapon of mass destruction or the intent to cause a person to believe that a substance is a weapon of mass destruction
- disorderly conduct on airport premises
- interruption or impairment of work at a food processing facility
- the expulsion of a student who brings a destructive device on school property.

While no one foresaw the devastation of the September attacks, we are taking every step possible to maintain Indiana's safety to the fullest extent.

Project Hoosier SAFE-T

Part of the new anti-terrorism law provides funding for Project Hoosier SAFE-T, a system allowing public safety agencies to communicate with each other during emergencies.

Any event that crosses county lines, such as a severe storm, a police chase or a fatal accident puts the first responders and the victims at risk if officials are unable to cooperate and respond quickly.

This system will connect all participating local, state and federal public safety agencies. Eliminating incompatible or obsolete radio systems will save Hoosier lives.

Animal torture bill becomes law

The FBI has identified animal abuse as one of the indicators of possible violent behavior against humans. Studies have linked animal cruelty to domestic violence, child abuse, serial killings and the recent rash of killings by school-age children.

After two regrettable incidents in Indiana involving the torture of dogs, legislators created a new law this year to prevent animal cruelty. House Bill 1223 makes torturing or mutilating an animal a Class D felony, with an exception for shelters that euthanize animals in accordance with state guidelines.

Child protection remains a top legislative priority

REP. KERSEY DISCUSSES LEGISLATION WITH LT. GOV. JOE KERNAN.

This year some of our finest work in the legislature came in passing laws to improve upon the safety of Indiana's children. The Amber Alert program, set forth in Senate Bill 20, establishes a missing child network. This includes a statewide, toll-free telephone line to report missing children and sightings of missing children, a clearinghouse of child identification and investigative information, and agreements with local television stations to broadcast information about a missing child.

Legislators took several steps against sexual predators. Senate Bill 482 toughens laws against soliciting a child over the Internet, permitting a police officer to pose undercover as a child in order to capture offenders. This law also makes it a crime to fondle oneself in front of a child.

In recent years there has been an increase of Websites that specialize in photos of children and child pornography. House Bill 1010 contains language specifying that state laws dealing with child exploitation, possession of child pornography and obscenity apply to these digital images.

Organ donor and other health care legislation from this Session

Following the September 11 terrorist attacks, many looked for ways to provide assistance to their fellow Americans. We see that compassionate spirit in various forms, including organ and bone marrow donation. Until recently, volunteers were charged a $90 fee to donate, preventing some people from making a donation. House Bill 1049 waives that fee, using funds from the state's Anatomical Gift Promotion Fund. Lawmakers believe that waiving the fee will encourage more people to donate, increasing the pool of donors and thus the potential for a match between donors and recipients.

Improving Hoosier health care is the object of several other new laws created this year. House Bill 1252 broadens guidelines to permit more self-directed in-home care. Thanks to Senate Bill 213, emergency medical technicians will be able to administer epinephrine to patients experiencing severe allergic reactions or anaphylactic shock. In the event of Medicaid cuts, the mentally ill will still receive necessary drugs prescribed to treat diseases like bipolar disorder, schizophrenia and major depression with the passage of House Bill 1233. Finally, Indiana will join the Interstate Nurse Licensure Compact with House Bill 1297, which permits a licensed nurse in any state that is a member of the compact to practice here without having to obtain a new license.

Telephone Privacy List still available

If you haven't yet registered for the Telephone Privacy List, you still have time. Although the list is already in effect, it is updated every three months. If you register now, your name will be included when the updated list takes effect July 1, 2002.

The Telephone Privacy List is free to Indiana residents. By adding your name, most telemarketers will be prevented by law from calling you. You only need to register once to be included.

How to register

You may register by calling the toll-free number, 1-888-834-9969. You may also register online at the Attorney General's Website. Go to www.in.gov/attorneygeneral and scroll down the page until you come to the ringing phone icon. This will take you to the Telephone Privacy List page. Click on the link that says "Register Here," and fill out the registration form.

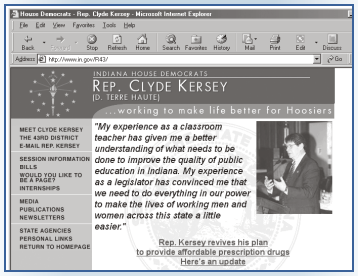
Certain exceptions

Registering with the Telephone Privacy List will not eliminate all telemarketing calls. Four types of solicitors are exempt from the law: Charitable organizations using volunteers or employees to make calls; newspapers using employees to make calls; insurance agents; and realtors.

Violations

If you receive a telemarketing call from someone other than the exceptions listed above after the list becomes effective, you may download a complaint form from the Attorney General's Website or call 1-812-355-5915. If a company is in violation, the Attorney General's Office may issue a court order to prevent further calls and may seek a fine of up to $25,000.

Stay informed about this and other issues online with Representative Kersey



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