



116TH INDIANA GENERAL ASSEMBLY ★

SENATE DEMOCRATIC CAUCUS

NEWS RELEASE

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Week in Review at the Indiana General Assembly State Senator Connie Sipes, D-New Albany

INDIANAPOLIS-- The short session of the 116th Indiana General Assembly adjourned late Friday night just short of its statutory deadline of March 14. The state's stressed economy had a major impact on legislation considered this session. An early bipartisan agreement limited the consideration of bills to only those with little or no cost to the state. More than 800 initiatives were introduced in January, but less than 200 made it through both chambers. The two major issues drawing the most attention during the final weeks included public school funding and unemployment insurance. This brief summary highlights several of the issues negotiated this week as well as other bills that gained final approval.

Public schools - Providing schools the flexibility to transfer dedicated funds into their operating accounts was necessitated this session by the governor's decision in January to cut \$300 million from school funding. Contained in House Bill (HB) 1367, the bill will give schools greater flexibility to tap into various funds and funnel those dollars into the classroom. Sipes co-sponsored this legislation.

Unemployment – In light of continuing economic problems in the private sector, lawmakers revisited unemployment insurance reform passed last session with bi-partisan support to help bail out the state's bankrupt unemployment trust fund. To date, the state has borrowed \$1.7 billion from the federal government to keep the fund solvent. There are concerns that the tax rate changes enacted last year will negatively impact some employers in the state. A one year delay of the changes is included in Senate Bill (SB) 23. Many lawmakers agree that the unemployment insurance system at large needs reform, and delaying the change in the rate schedule for employers will not resolve all of the issues plaguing the system. However, passage of SB 23 will help some companies in the immediate future.

In addition, language is included that will enhance enforcement and increase penalties against employers who inappropriately classify workers as independent contractors instead of employees. By misclassifying employees as independent contractors, employers are able to avoid paying unemployment insurance taxes on those workers. The bill will require the Indiana Department of Labor to develop guidelines and procedures for investigating complaints concerning employee classification and make recommended changes to improve the state's regulation of this matter to the Pension Management Oversight Committee in October. Changes are required to be implemented before August 1, 2011.

Additionally, several job creation proposals were approved that will benefit Indiana employers, including tax credits for new or expanding businesses in the state.

Bills signed into law by the governor

SB 46 allows sixteen year olds to donate blood with written parental permission.

SB 226 assigns the topic of teen suicide prevention to the Health Finance Commission for study during the 2010 legislative interim.

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SB 75, co-authored by Sipes, will allow microbreweries to sell the brewery's beer for carryout on Sundays. In addition, the approved bill allows restaurants and bars to serve alcoholic beverages on Sundays until 3 a.m. the following day. (Current law included a 12:30 a.m. restriction.)

SB 387 statutorily establishes the Office of Minority Health within the State Department of Health. The office is responsible for the expansion, development and implementation of a community-based state structure that is conducive to addressing the health disparities of the minority populations in Indiana.

HB 1064 establishes a procedure to collect voluntary donations when hunting licenses are sold to go into the Indiana Sportsmen's Benevolence Account. The proceeds must be used to process donated wild game to help feed the state's hungry.

HB 1100 makes it a Class A misdemeanor for a person incarcerated in a county jail to possess a cellular telephone or other wireless or cellular communications device.

HB 1165 protects a veteran's service-connected disability benefit from a judicial lien, process, or proceeding to collect a debt. The bill codifies existing federal law into state statute.

HB 1194 extends the reinstatement rights of a laid off member of a city police, fire or sheriff's department to five years instead of three years after the day on which the member's layoff begins.

Major issues that failed

Redistricting reform – An independent commission on redistricting reform was included in SB 289. Had the bill been approved, the commission could have been implemented in time to make positive changes to the redistricting process that will take place during the 2011 session when lawmakers must redraw congressional and legislative districts based on 2010 census data.

Net metering – SB 313 would have expanded net metering opportunities to help reduce utility bills and increase renewable energy production in Indiana. Net metering allows consumers who generate excess electricity through wind mills, solar panels and other renewable energy technologies to send excess power back onto the electric grid for a credit on their utility bill. Current law limits participation to homeowners and schools with a generating capacity of 10 kilowatts or less.

Building energy efficient buildings – A bill that would have required certain government buildings to be designed and constructed or renovated to achieve or exceed the performance criteria to meet the silver rating on the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) standards failed to pass this session. Green building standards provide long-term savings through reduced water usage, natural lighting, improved energy efficiency, and utilization of renewable energy. Proponents maintain that green buildings can be built at no extra cost and save taxpayers 40 percent on energy bills over the life of the buildings.

Sunday liquor sales – Legislation that would have allowed for Sunday liquor sales did not pass this session.

Statewide smoking ban - Legislation which would have prohibited smoking in public places and enclosed areas of a place of employment failed to pass. Indiana has the second highest smoking rate in the country next to West Virginia costing Hoosiers over \$2 billion each year in health care costs directly related to tobacco use.

Land-based casinos – In an effort to better compete with gaming in surrounding states, lawmakers considered legislation that would have allowed for land-based casinos in Indiana, but chose not to move forward on this initiative this year.

To stay informed about legislation moving through the General Assembly or to track legislation, log on to www.in.gov/legislative/. This site provides complete bill information as well as committee hearing dates and

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agendas. Visit my Senate web site at www.in.gov/s46 and subscribe to receive periodic e-mails about the major issues facing us this year. The Senate Democrats also provide multimedia updates on the daily activities in the Senate at [The Briefing Room](#) and Twitter updates at [@INSenDems](#).

Personal contact with constituents has a direct impact on the legislation we consider and what ultimately becomes law. Feel free to contact me with your comments and concerns regarding pending legislation or if I can provide any assistance.

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