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Statehouse Report

APRIL 13, 2009

House and Senate Committees held their final meetings last week, and now the bills they passed are all before the full bodies of both chambers for final consideration. The three weeks remaining in the legislative session will be devoted to debate on the remaining bills before the House and Senate, and then resolving any differences in conference committee. Key negotiations on the state budget and the unemployment insurance trust fund will be the most important, and the most difficult to accomplish.

State Budget

The Senate version of the state budget bill, [HB 1001](#), passed out of the Appropriations Committee last week by a vote of [10-2](#). The two-year, \$28.1 billion proposal uses federal stimulus money to provide \$823 million for education, and \$1.1 billion for Medicaid. The bill is expected to pass the Senate, and then move to conference committee for final negotiations with the House. Key differences to be resolved between the House and Senate bills are whether to adopt a one- or two-year budget, changes in the school funding formula, bonding levels for state universities, and whether to use money from the state's "rainy day" surplus funds.

A revised fiscal forecast is also due out on April 17, which could add further budgeting difficulties if the state deficit exceeds the projected \$1 billion revenue shortfall. March tax collections were down 16% from projected levels—adding \$157 million to an ongoing revenue gap currently totaling over \$750 million.

Alcohol Tax Increase

Facing opposition from across the state, Senate Appropriations Committee Chairman Luke Kenley indicated last week that he would likely drop the statewide alcohol tax increase he proposed as an attempt to bail out the Indianapolis Capital Improvement Board. The CIB is the body that operates the stadiums and convention center in Indianapolis, and is currently facing a \$47 million operating deficit. The Senate will instead look at providing new taxing options for Marion County alone—including a possible new downtown casino to be operated by the racetrack/casino operators in Anderson and Shelbyville.

Age Discrimination

The [Senate Committee on Pensions and Labor](#) significantly amended an age discrimination bill that advocates had hoped would allow tougher penalties for age discrimination claims. [HB 1014](#) was introduced to shift adjudication of such claims from the Department of Labor to the Civil Rights Commission so that workers could seek back wages or monetary fines against employers. The Senate amendment keeps jurisdiction over age discrimination cases with the Department of Labor, and effectively eliminates the ability to seek monetary damages.

Northern Indiana Regional Transportation District.

The Senate Tax and Fiscal Policy Committee voted [9-2](#) to amend [HB 1607](#) to create a four-county Regional Transportation District for bus service. The proposed District would impose a .25 % income tax increase in the included counties of Lake, Porter, LaPorte, and St. Joseph. It would eliminate all of the existing local bus services, including TRANSPO, in those jurisdictions.

The bill was originally drafted to provide for the West Lake expansion of the South Shore commuter rail line, and comes at a time of some tumult in the regional transportation district model. Porter County recently voted to withdraw from northwest Indiana's Regional Development Authority, despite objections from Lake County as to whether they even had the ability to independently withdraw. The wide differences in the different versions of the bill, and the accompanying transit funding issues, will likely be negotiated in conference committee in the coming weeks.

Elected Judges in St. Joseph County

[HB 1491](#), a bill which would have St. Joseph County Superior Court judges stand for nonpartisan election, has passed the Senate Judiciary Committee by a vote of [6-5](#), and now proceeds to the full Senate for consideration. The bill was amended in committee to also add a new three-judge panel to the Indiana Court of Appeals.

Governor's Action on Bills

[HB 1049](#) - Change the name of the MRDD Commission. *Signed.*

[HB 1193](#) - E85 fueling station grant program. *Signed.*

[HB 1218](#) - Grain indemnity fund. *Signed.*

[HB 1258](#) - Parking with former prisoner of war or disabled veteran plates. *Signed.*

[HB 1292](#) - Pharmacy record audits. *Signed.*

[HB 1331](#) - Body armor for police officers. *Signed.*

[HB 1389](#) - Twenty-first century scholars. *Signed.*

[HB 1479](#) - Recruitment of educators from underrepresented populations. *Signed.*

Bills in Conference Committee

[SB 126](#) - Financial responsibility curriculum.

[SB 136](#) - Purchasing and public works.

[SB 181](#) - Child seduction and repeat sex offenders.

[SB 244](#) - Offender reentry administrative account.

[SB 254](#) - Voter ID and voter registration.

[SB 270](#) - Occupational certification requirements.

[SB 306](#) - Competitive bids for prescribed drugs under Medicaid program.

[SB 365](#) - Various human service matters.

[SB 388](#) - Property tax levies for mental health services.

[SB 469](#) - Limited liability for certain asbestos claims.

[HB 1379](#) - Unemployment compensation and labor issues.

Senate Bills of interest that have passed out of the House

[SB 021](#) - Theft of metal.

[SB 102](#) - Coverage of mental health services in CHIP.

[SB 160](#) - Regulation of boxing, sparring, and unarmed combat.

[SB 174](#) - Repossession of motor vehicles.

[SB 236](#) - Sentence enhancement for feticide.

[SB 238](#) - Crimes against animals.

[SB 487](#) - Underground plant protection.



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House Bills of interest that have passed out of the Senate

[HB 1040](#) - Trusts and fiduciaries.

[HB 1063](#) - Youth shelters.

[HB 1097](#) - Indoor air quality.

[HB 1121](#) - Identity deception.

[HB 1175](#) - Victims' rights.

[HB 1191](#) - Fertilizer law matters.

[HB 1285](#) - Various gaming matters.

[HB 1376](#) - Automotive mobility dealers.

[HB 1468](#) - Animal cruelty and commercial dog breeders.

[HB 1511](#) - Joint legal custody in paternity determinations.

[HB 1603](#) - Service animals.

[HB 1646](#) - Business and other associations.

How to track legislative action.

The [web page for the Indiana General Assembly](#) is a free resource for the public that provides some helpful tools to follow the progress of legislative action during the session. You can [find out how to contact your legislator](#), read [all of the filed bills](#), and search the [Indiana Constitution, Indiana Code, and Indiana Register](#).

You can also watch live streaming video of the legislature while it is in session, as well as some committee meetings [here](#).

The regularly updated House and Senate Committee schedules are also available online, and contain links to legislation up for consideration in committee.

[House Committee Schedule](#)

[Senate Committee Schedule](#)