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Statehouse Report

MARCH 1, 2010

Both the House and Senate have completed their initial consideration of bills from both chambers. The House has also revised its schedule in an attempt to complete the calendar by the end of this week – well before the March 14 deadline. The Senate, however, has expressed concern that all issues may not be able to be resolved that early.

Regardless of when the final day of session will take place, those bills that have passed both bodies now face several possibilities.

If the original author of the legislation agrees to any changes made in the opposite chamber (or if no changes have been made), the author may *concur* on the bill. The originating chamber must approve this concurrence motion, and if it passes, the bill is sent to the Governor.

However, if the author of the bill does not agree to changes made during the legislative process, he/she may *dissent* on the returned legislation. The originating chamber must also approve this dissent motion, and once it is approved, the bill is assigned to a *conference committee*.

Conference committees are bicameral and bipartisan. They are formed to come to agreement on a final bill format that must then be presented back to each chamber for final approval. The conference committee report must be signed off on by two members from each chamber before being sent back for approval by both chambers.

The conference committee process is usually the most fast-paced and confusing step of the legislative session. Provisions from other bills that have only passed one chamber are sometimes eligible for amendment into a conference committee report dealing with a related subject, so negotiations can become complex.

Once a conference committee agrees to a report, obtains the necessary signatures, and presents the report back to both chambers, both houses must vote to approve the report before it can be sent to the Governor. If just one chamber fails to vote for a conference committee report, the bill effectively dies – unless its provisions are amended into *another* conference committee report for another chance at passage.

Since developments at this stage of the legislative session are swift, links to access daily updated information are provided below.

Smoking, Texting Bans Fail to Move

Separate bills to implement statewide bans on both smoking and texting while driving were passed by the House earlier this session; however, the Senate refused to hear either measure. Concerns over enforceability of the texting ban scuttled that legislation's chances, while general opposition to the concept of a state policy on smoking in public places continued in the Senate, as it has in years past.

Unemployment

No firm resolution to resolving Indiana's Unemployment Insurance Fund problems has yet been reached by the General Assembly. The Senate sought to delay an increase in rates for 2010 with [SB 23](#); however, the House amended the bill to repeal the 2009 statute that set the increases in the first place. The bill was also amended to address classification of independent contractors and raise the minimum benefit for unemployed workers.

As of January 2010, Indiana has been forced to borrow \$1.5 billion from the federal government in order to continue to pay unemployment benefits. Concerns over the impact on employers and the unemployed alike have brought about efforts to change the 2009 legislation that was intended to address this shortfall. It is unclear what a final compromise will look like at this time.

Ethics

One bill that has enjoyed strong bipartisan support from both chambers is [HB 1001](#), the ethics reform legislation. After passing the House earlier in the session, the bill passed the Senate unanimously last week.

The legislation would prohibit lawmakers from becoming lobbyists for one year after their terms expire and require lobbyists to report any gifts worth \$50 or more instead of the current \$100 limit. It also prohibits incumbents or candidates for statewide office from raising campaign funds during budget-writing legislative sessions. The Senate added language that would require university liaisons to the General Assembly to register as lobbyists and prohibit statewide elected officials from using tax dollars for advertisements that mention themselves by name.

The only issue to be resolved is whether the House will insist on restoring "pay-to-play" language that would prohibit vendors holding or seeking state contracts worth \$100,000 or more per year from donating to the campaigns of candidates seeking state office. The Senate removed that provision from the original House version.

Bills still alive

Over a hundred bills passed out of either the House or Senate last week. A full list of the bills that have remained alive to this point is available [here](#) (the bills on the linked page that are listed in bold are still active – those that are grayed out are not).

Conference committees are scheduled at a rapid pace in the closing days of session. An updated list of bills in conference committee, and action taken on those bills, is available [here](#). As bills are sent to the Governor, any action taken by him will be made available [here](#).

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](#)