

Legislative Agenda

Indiana Chamber
The Voice of
Indiana Business.

No. 1
January 27, 2011

Quick Reference: Position by Bill Number and Title

House Bills

- HB 1001 Budget – *SUPPORT IN PART (SIP) / OPPOSE IN PART (OIP)*
HB 1002 Charter Schools – *SUPPORT*
HB 1003 School Scholarships – *SUPPORT*
HB 1004 Access to State Financial Data – *SUPPORT*
HB 1005 Industrial Recovery Tax Credit – *SUPPORT*
HB 1006 Entrepreneurial Know-how – *SUPPORT*
HB 1007 Tax Incentives – *SUPPORT*
HB 1008 Tax Benefits – *SUPPORT*
HB 1015 Long-term Care Insurance Commissions – *SUPPORT*
HB 1018 Smoking Ban in Public Places – *SUPPORT*
HB 1022 Officeholder Qualifications – *SUPPORT*
HB 1024 Notice of Foreclosure to Property Insurers – *SUPPORT*
HB 1028 Employers Right-to-work – *SUPPORT*
HB 1031 Uninsured and Underinsured Motorist Coverage – *SUPPORT*
HB 1034 Immunizations by Pharmacists – *SUPPORT*
HB 1035 Logistics Development Incentives – *SUPPORT*
HB 1039 Nanotechnology Initiative – *SUPPORT*
HB 1043 Employees Right-to-work – *SUPPORT*
HB 1046 Property Tax Deduction New Unsold Residences – *SUPPORT*
HB 1050 Texting While Operating a Vehicle – *SUPPORT IN PART*
HB 1056 Variable Local Option Income Tax – *SUPPORT IN PART*
HB 1057 Real Property Assessment – *SUPPORT IN PART*
HB 1062 Basic Health Insurance Coverage – *SUPPORT*
HB 1063 Individual Out-of-state Health Insurance – *SIP / OIP*
HB 1066 Abandoned Housing – *OPPOSE IN PART*
HB 1067 Public Works Projects – *SUPPORT*
HB 1074 School Board Elections at General Election Time – *SUPPORT*
HB 1080 Health Plan Access to Providers – *OPPOSE*
HB 1088 Identification Requirements Alcohol Purchases – *SUPPORT*
HB 1111 Drug Regimen Protocols – *SUPPORT*
HB 1112 Land Application of Industrial Waste Products – *SUPPORT*
HB 1129 Use of Telecom Device While Driving – *SUPPORT*
HB 1130 Opportunity to Correct a Violation – *SUPPORT*
HB 1131 Video Service Franchise Fee – *SUPPORT*
HB 1134 Confined Feeding Operations Manure – *OPPOSE*
HB 1136 Injuries to or Death of Employee – *OPPOSE*
HB 1145 Lake Station School Board Election Date – *SUPPORT*
HB 1146 Flavored Tobacco Products and Cigarettes – *OPPOSE*
HB 1149 Repeal of Valuation Method for Certain Property – *OPPOSE*
HB 1154 Health Care Sharing Ministries – *SUPPORT*
HB 1155 Reduction or Suspension of Sentences – *SUPPORT*
HB 1156 Elimination of Property Taxes – *OPPOSE*
HB 1165 Taxation of Civil Service Annuities – *OPPOSE*
HB 1167 Employee Right to Parenting Time – *OPPOSE*
HB 1170 Public Safety Local Option Income Tax – *SUPPORT*
HB 1175 Alcohol Displays – *OPPOSE*
HB 1183 Indiana Business Price Preference – *SUPPORT*
HB 1202 Direct Access to Physical Therapy Services – *OPPOSE*
HB 1203 Employee Representation Campaigns – *SUPPORT*
HB 1207 Unemployment Compensation/Drug Testing – *SUPPORT*
HB 1209 Coverage for Tamper-resistant Opioids – *OPPOSE*
HB 1219 Assessment of Real Property – *OPPOSE IN PART*
HB 1220 Partial Unemployment Benefit – *SUPPORT*
HB 1221 Life Insurance and Medicaid – *SUPPORT*
HB 1234 Recycled Newsprint Fee – *OPPOSE*
HB 1239 Alcoholic Beverages – *SUPPORT IN PART*
HB 1249 Higher Education Scholarship – *SUPPORT*
HB 1250 Partial Initiative for School Reorganization – *SUPPORT*
HB 1251 Young Entrepreneur Program – *SUPPORT*
HB 1253 Property Assessment – *OPPOSE*
HB 1256 Individual Insurance Risk Pools – *OPPOSE*
HB 1260 School Corporation Health Insurance – *SUPPORT*
HB 1261 Government Employees Holding Elected Office – *SUPPORT*
HB 1263 Removal of Public Officers From Office – *SUPPORT*
HB 1267 Drug Testing and Unemployment Benefits – *SUPPORT*
HB 1271 Criteria for Industrial Development Programs – *OPPOSE*
HB 1275 Local Transfers Between Funds – *OPPOSE*
HB 1276 Electronic Textbooks – *OPPOSE*
HB 1285 Property Tax Exemptions for Charities – *OPPOSE*
HB 1287 Local Option Tax Distributions – *OPPOSE*
HB 1290 Property Tax Levy Appeal for Emergencies – *OPPOSE*
HB 1300 Collection of Sales Tax Out-of-state Vendors – *SUPPORT*
HB 1303 Loyal Employees Serving... – *SUPPORT IN PART*
HB 1309 Public Works Projects Cost Thresholds – *SUPPORT*
HB 1325 Repeals Requirements to Produce ID for Alcohol – *SUPPORT*
HB 1329 Liability for County Detainee Health Care ... – *SIP / OIP*
HB 1331 School Counselors – *OPPOSE*
HB 1337 Teacher Contracts – *SUPPORT*
HB 1338 Financial Transparency by School Corporations – *SUPPORT*
HB 1340 Adult Education – *SUPPORT*
HB 1341 Special Education Grants – *SUPPORT*
HB 1344 Sales Tax – *SUPPORT*
HB 1355 Disclosure of Firearm or Ammunition Information – *OPPOSE*
HB 1359 School Administrators – *SUPPORT*
HB 1360 School Corporation Health Coverage – *SUPPORT IN PART*
HB 1369 Pay for Performance Program School Admins. – *SUPPORT*
HB 1370 Compensation of Township Board – *SUPPORT IN PART*
HB 1376 Local Government – *SUPPORT*
HB 1391 Local Government Issues – *OPPOSE IN PART*
HB 1394 Local Public Employees and Officeholders – *SUPPORT*
HB 1395 Local Government – *SUPPORT IN PART*
HB 1396 Exception to Circuit Breaker Credit – *SUPPORT*
HB 1397 Legal Costs – *SUPPORT IN PART*
HB 1417 Flexibility in Use of School Funds – *OPPOSE*
HB 1428 Tax Credit for Hiring Unemployed – *SUPPORT IN PART*
HB 1429 Textbooks and Other Curricular Material – *SUPPORT*
HB 1430 Disannexation From School Corps. – *SUPPORT IN PART*
HB 1434 Township Government – *SUPPORT IN PART*
HB 1435 Amended Personal Property Returns – *SUPPORT*
HB 1442 Employee Personal Leave – *OPPOSE*
HB 1443 School Instruction Time – *OPPOSE*
HB 1450 Unemployment Insurance – *SUPPORT*
HB 1461 Sales Tax on Out-of-state Deliveries – *SUPPORT*
HB 1466 Economic Development and State Tax Matters – *SIP / OIP*

HB 1468 Right-to-work – *SIP / OIP*
HB 1469 Local Government Issues – *SUPPORT*
HB 1470 Taxes – *SUPPORT IN PART*
HB 1479 School Performance Turnaround – *SUPPORT*
HB 1480 Selection of Superintendent of Public Instruction – *SUPPORT*
HB 1483 Revenue Update Bill – *SIP / OIP*
HB 1484 Property Taxes – *SUPPORT IN PART*
HB 1486 Insurance Matters – *SUPPORT*
HB 1488 Teacher Evaluations and Licensing – *SUPPORT*
HB 1489 Unemployment Contribution Rates – *SUPPORT*
HB 1500 School Readiness – *SUPPORT*
HB 1506 Work-sharing Unemployment Benefit – *SIP / OIP*
HB 1508 Student Instruction Time – *OPPOSE*
HB 1509 Definition of Renewable Energy Resources... – *SUPPORT*
HB 1516 Lake County Property Tax – *OPPOSE*
HB 1519 Compulsory School Attendance – *SUPPORT IN PART*
HB 1526 Alteration and Formation of Townships – *SUPPORT IN PART*
HB 1527 Transfer of Township Territory – *SUPPORT IN PART*
HB 1530 Corrections and Sentencing – *SUPPORT*
HB 1534 Township Reorganization and Government... – *SUPPORT*
HB 1563 Inheritance Tax and Estate Tax – *SUPPORT*
HB 1573 County Government – *SUPPORT*
HB 1580 School Improvement Plan – *OPPOSE*
HCR 7 Urging Congress to Repeal Affordable Care Act – *SUPPORT*
HCR 11 Petitioning USDOT for Indiana on Central Time – *OPPOSE*
HJR 2 Election of County Auditor, Treasurer, Clerk... – *OPPOSE*

Senate Bills

SB 1 Teacher Evaluations and Licensing – *SUPPORT*
SB 15 Low Carbon, Noncarbon Dioxide Emitting Plants – *SUPPORT*
SB 18 Handheld Comm. Devices While Driving – *OPPOSE IN PART*
SB 21 Notice of Appropriation and Revenue Measures – *SUPPORT*
SB 23 Hoosier Commission for Communities for Lifetime – *SUPPORT*
SB 26 Local Government Reorganization and Merger – *SUPPORT*
SB 31 Local Option Taxes for Counties, Cities and Towns – *OPPOSE*
SB 32 Vote Centers – *SUPPORT*
SB 43 GPS Monitoring and Parole – *SUPPORT*
SB 44 Homestead Assessed Value Growth – *OPPOSE*
SB 45 Coverage for Smoking Cessation Drugs – *OPPOSE*
SB 46 Identification for Alcohol Purchases – *SUPPORT*
SB 47 Various Riverboat Matters – *SUPPORT IN PART*
SB 51 Identification Requirements for Alcohol Purchases – *SUPPORT*
SB 54 Local Regulation of Video Service Franchises – *SUPPORT*
SB 61 School Board Elections – *SUPPORT*
SB 63 Suspension of Local Office Holders From Office – *SUPPORT*
SB 64 Government Reorganization – *SUPPORT*
SB 65 Out-of-network Health Provider – *OPPOSE*
SB 66 Amend Definition of Renewable Energy Resources – *SUPPORT*
SB 71 Coal Bed Methane and Other Oil and Gas Issues – *SUPPORT*
SB 72 Carbon Dioxide Pipelines and Eminent Domain – *SUPPORT*
SB 78 Identification Requirements for Alcohol Purchases – *SUPPORT*
SB 86 Unemployment Benefits Qualifications – *SUPPORT*
SB 87 Contracts for Dental Services – *OPPOSE*
SB 91 Henry, Madison Counties Unified Circuit Courts – *SUPPORT*
SB 92 Use of Telecom Device While Driving – *SUPPORT IN PART*
SB 97 Funding of Lawsuits – *OPPOSE*
SB 100 Actions Based on Hazardous Substances Exposure – *OPPOSE*
SB 105 Adjustments of Debt of a Political... – *SUPPORT IN PART*
SB 106 Computer Facility Property Tax Exemption – *SUPPORT*
SB 108 Sales of Motorcycles on Sunday – *SUPPORT*
SB 113 Confined Feeding Operations Approvals – *OPPOSE*
SB 118 Ordinances Regulating Fertilizers – *OPPOSE*
SB 125 Public Records and Public Meetings – *SUPPORT*
SB 133 Identification Requirements for Alcohol Purchases – *SUPPORT*
SB 135 Maximum Property Tax Levies in Lake County – *OPPOSE*

SB 137 Maximum Property Tax Levies in Lake County – *OPPOSE*
SB 141 Texting While Driving – *SUPPORT IN PART*
SB 145 Sunday Sales of Motor Vehicles – *SUPPORT*
SB 148 Inheritance and Estate Tax – *SUPPORT*
SB 159 Air Pollution Tailoring Rules – *SUPPORT*
SB 160 Employer Purchased Insurance – *OPPOSE*
SB 162 Enforcement of Wage Requirements – *OPPOSE*
SB 165 Economic Development Incentive Accountability – *OPPOSE*
SB 166 Local Government Employment – *SUPPORT IN PART*
SB 167 Nepotism/Public Employees Holding... – *SUPPORT IN PART*
SB 171 School Start Date and Calendar – *OPPOSE IN PART*
SB 177 Unused Medication – *SUPPORT*
SB 178 Outpatient Treatment Requirements – *OPPOSE*
SB 196 Head Start Employment, Unemployment Benefits – *SUPPORT*
SB 197 Alcoholic Beverage Matters – *SUPPORT*
SB 200 Environmental General Permits – *SUPPORT*
SB 202 Environmental Approvals and Other Issues – *SUPPORT*
SB 204 Environmental Crimes – *OPPOSE*
SB 222 Transportation and Logistics Income Tax Credit – *SUPPORT*
SB 224 Physical Therapists – *SUPPORT IN PART*
SB 233 Homestead Assessed Value Growth Cap – *OPPOSE*
SB 234 Homestead Property Tax Bill Cap – *OPPOSE*
SB 243 Common Construction Wage on School Projects – *SUPPORT*
SB 294 Probationary Teacher Contracts – *SUPPORT*
SB 299 Library Boards – *SUPPORT*
SB 302 Nepotism/Public Employees Holding... – *SUPPORT IN PART*
SB 303 County Government Reorganization – *SUPPORT IN PART*
SB 307 Public Safety Funding – *SUPPORT IN PART*
SB 324 Legal Costs – *SUPPORT IN PART*
SB 333 Public Works Projects – *SUPPORT*
SB 345 Unemployment Insurance Bonds – *SUPPORT*
SB 349 Homestead Property Taxes, Sales and Use Taxes – *OPPOSE*
SB 360 Retained Asset Accounts – *OPPOSE*
SB 380 Township Government – *SIP / OIP*
SB 381 Tax Representatives – *SUPPORT*
SB 382 Industrial Recovery Tax Credit – *SUPPORT*
SB 395 Employee's Right-to-work – *SUPPORT*
SB 404 Transmitting Wireless Messages Driving – *SUPPORT IN PART*
SB 405 Township Government – *SUPPORT IN PART*
SB 409 Gasoline Tax and Special Fuel Tax Distributions – *OPPOSE*
SB 410 Transfers From School Capital Projects Fund – *OPPOSE*
SB 411 Disclosure of Firearm or Ammunition Information – *OPPOSE*
SB 420 Weighted Student School Funding Formula – *SUPPORT*
SB 426 Collective Bargaining for School Employees – *OPPOSE*
SB 427 Taxation of Civil Service Annuities – *OPPOSE*
SB 432 Property Tax Rate Cap Mitigation Grants – *OPPOSE*
SB 436 Including Businesses on Do-not-call List – *OPPOSE*
SB 441 Public Works Projects Cost Thresholds – *SUPPORT*
SB 442 School Operating Levy Referendum – *SUPPORT*
SB 446 Use of Public School Property by Charter Schools – *SUPPORT*
SB 447 School Board Elections – *SUPPORT*
SB 459 Streamlined Sales and Use Tax Conformity – *SUPPORT*
SB 461 Health Care Reform Matters – *SUPPORT*
SB 473 Various Transportation Issues – *SUPPORT IN PART*
SB 476 Property Tax Assessment Increases – *SIP / OIP*
SB 480 Various Communications Matters – *SUPPORT*
SB 482 Adult Education – *SUPPORT*
SB 483 Electronic Filing of Business Tax Returns – *SUPPORT*
SB 489 Proof of Collateral Source Payments – *OPPOSE*
SB 496 Parental Initiatives for School Reorganization – *SUPPORT*
SB 497 Higher Education Scholarship – *SUPPORT*
SB 507 Township Government Matters – *OPPOSE IN PART*
SB 508 Reporting Public Pension Liabilities – *SUPPORT*
SB 517 Abandoned Housing – *SUPPORT IN PART*
SB 519 ISTEP – *OPPOSE*
SB 524 Public Pension Study – *SUPPORT*

SB 526 Marion County Government – *SUPPORT IN PART*
SB 531 Real Property Reassessment – *SUPPORT IN PART*
SB 542 Wage Assignments – *SUPPORT*
SB 546 Virtual Charters and School Scholarship Tax Credit – *OPPOSE*
SB 547 Superintendent of Public Instruction – *SUPPORT*
SB 550 Redevelopment Commissions and Authorities – *SUPPORT*
SB 551 Public Employees' Defined Contribution – *SUPPORT IN PART*
SB 556 Confined Feeding Operations and CAFOs – *OPPOSE*
SB 559 Conflict of Interest – *SUPPORT*
SB 561 Corrections and Sentencing – *SUPPORT*
SB 563 Emergency Communications Fees – *SUPPORT*
SB 565 Solid Waste Management Districts – *SUPPORT*
SB 569 Tax Procedures – *SUPPORT*
SB 573 Construction Industry Employer-Union Agreements – *SIP / OIP*
SB 575 Teacher Collective Bargaining – *SUPPORT*
SB 576 Worker's Compensation – *SUPPORT*

SB 580 Indiana Health Exchange – *OPPOSE*
SB 584 Local Indiana Business Preference – *SUPPORT*
SB 585 Certified Technology Park – *SIP / OIP*
SB 589 Economic Development and State Tax Matters – *SIP / OIP*
SB 590 Illegal Immigration Matters – *OPPOSE*
SJR 8 Homesteads Exempt From Property Tax – *OPPOSE*
SJR 11 Right to Opt Out of Health Care System – *SUPPORT*
SJR 15 Right to Opt Out of Health Care System – *SUPPORT*

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Chamber Outlines Bill Positions

Introduction

By Kevin Brinegar, president, Indiana Chamber of Commerce of Commerce

This **first edition** of the Indiana Chamber's 2011 *Legislative Agenda* continues an evolving public policy process for the organization and the state's business community.

Chamber policy committees, composed of employee volunteers from member companies, meet throughout the year. They identify key issues, research the topics and help define policy positions, which are adopted each fall by the Chamber's board of directors.

The organization's policy positions are outlined in the annual *Business Issues* publication, with the 2011 edition presented to all members of the General Assembly at the beginning of the current session. *Legislative Agenda* matches those policy positions with specific feedback on the bills introduced in the House and Senate.

This publication provides clear input on issues that not only affect the Indiana business community, but also communities,

families and individuals throughout the state. We strive to provide you with a clear understanding of our positions on key bills that will assist you as you proceed during this legislative session.

Please contact me, or any of the members of the Chamber's government affairs team, with questions about this *Legislative Agenda*.

NOTE: *This first edition considers all bills as of 1/21. The absence of a bill from this list does not mean the Indiana Chamber has, or will have, no position on the legislation. The review process continues throughout the legislative session.*

House Bills

HB 1001 Budget (Espich)

Appropriates money for capital expenditures, the operation of the state, the delivery of Medicaid and other services and various other distributions and purposes. Provides for a refundable adjusted gross income tax credit when there is a certain level of revenue surplus. Changes the percentage of the revenues collected from: (1) gambling games at racetracks; and (2) cigarette taxes. Limits certain hospital reimbursements. Requires a state educational institution to participate in the state aggregate prescription drug purchasing program. Permits money to be transferred from the freedom of choice grant fund to the higher education award fund. Revises the eligibility requirements for an Indiana Comprehensive Health Insurance Association (ICHIA) policy. Provides for a transfer from the public deposits insurance fund to the state general fund. Makes other related changes. **Chamber Position: SUPPORT IN PART/OPPOSE IN PART**

Reason: The Chamber supports the fiscal prudence evidenced by this budget that essentially flatlines most appropriations to match fiscal year 2011 spending and making additional reductions where feasible. The budget demonstrates a commitment eliminating the structural deficit without increasing taxes. However, the Chamber opposes the transfer of monies from the public deposits insurance fund to the state

general fund and believes that those monies should remain dedicated to the purpose of insuring public deposits.

Contact: Bill Waltz (317) 264-6887

HB 1002 Charter Schools (Bosma)

Allows private universities and mayors of second-class cities to serve as charter school authorizers. Creates the Indiana Charter School Board to serve as a statewide authorizer. (Continues authorizing authority for state universities and the Indianapolis mayor.) Makes unused and underutilized public school facilities available for charter school use. Eliminates limits on charter schools approved by the Indianapolis mayor and on virtual charter schools. Increases funding for virtual charter schools from 80% of average state tuition support to 90%. Cancels interest payments on loans from the state that charter schools have acquired as the result of delayed tuition payments. Makes additional changes. **Chamber Position: SUPPORT Reason:** Will strengthen Indiana's charter school law and help create more options for parents.

Contact: Derek Redelman (317) 264-6880

HB 1003 School Scholarships (Behning)

Increases the school scholarship tax credits that may be awarded for donations to a scholarship granting organization. Allows scholarship granting organizations to grant scholarships to families with income that is not more than 250% of the amount

required for the individual to qualify for the federal free or reduced price lunch program. Provides scholarships to low income students to pay the costs of tuition and fees at a public or private elementary school or high school that charges tuition. **Chamber Position: SUPPORT Reason:** Would create more options for parents to select the schools that best fit the unique needs of their individual children.

Contact: Derek Redelman (317) 264-6880

HB 1004 Access to State Financial Data (Turner)

Access to state financial data. Requires the auditor of state and the Office of Management and Budget to work with the office of technology to establish and post on the Internet a web site with a data base of: (1) state expenditures and fund balances; (2) property owned by the state; and (3) expenditures and fund balances for educational institutions, local governments and local schools. **Chamber Position: SUPPORT Reason:** The Chamber supports the ongoing efforts to build and expand a web portal that allows taxpayers to see where their dollars are being spent. This bill furthers that cause.

Contact: Bill Waltz (317) 264-6887

HB 1005 Industrial Recovery Tax Credit (Clere)

Makes certain changes to the industrial recovery income tax credit (IRITC). Reduces the number of years, from 20 to 15, in which a vacant industrial facility must have been in service to be eligible for the IRITC. Reduces the percentage of a facility, from 75% to 50%, that must not be utilized in order for the facility to be considered vacant. Reduces the time that a facility must be vacant, from two years to one year, to be eligible for the IRITC. Makes changes to the amount of floor space a vacant industrial facility must have to be eligible for the IRITC.

Chamber Position: SUPPORT Reason: This bill will increase the number of property redevelopments occurring due to the credit. Restoring unused and underutilized industrial sites – regardless of the period of vacancy, degree of vacancy or size of facility – serves to expand the tax rolls and promotes economic growth in the community.

Contact: Bill Waltz (317) 264-6887

HB 1006 Entrepreneurial Know-how (Crouch)

Requires the Office of Technology to develop and maintain an Internet web site that would allow a new business to enter data once for the purpose of complying with the requirements of state law, including establishing the new business, registering with states agencies and obtaining necessary licenses and permits. Requires the Indiana Economic Development Corporation (IEDC) to work with local economic development organizations within geographic regions in Indiana and with the various state economic development organizations within the states contiguous to Indiana. Requires the IEDC to include, in its annual report to the General Assembly, recommendations for strategies and plans for collaboration with local economic development organizations and with the various state economic development organizations of neighboring states. Requires the Department of Education, in cooperation with the commission for higher education and the

IEDC, to develop curriculum guides based on best practices for entrepreneurship instruction in high schools. Requires the Commission of Higher Education to survey entrepreneurship programs conducted in Indiana and other states and make recommendations to state educational institutions concerning the establishment of entrepreneurship programs. **Chamber Position: SUPPORT Reason:** The Indiana Chamber supports increasing the intellectual capital and entrepreneurial skills of Hoosiers. This bill streamlines regulatory and filing requirements for business start-ups while taking reasonable steps to coordinate entrepreneurial education efforts. Such efforts should not detract from the main missions of the agencies involved.

Contact: Cam Carter (317) 264-6892

HB 1007 Tax Incentives (Messmer)

Permits a county, city or town to provide a tax exemption for enterprise information technology equipment after December 31, 2012. Permits a county to approve property tax deductions for one or more types of personal property. Allows a property owner to deduct a part of the expenses incurred by the property owner in rehabilitating a building or structure on the property if the building or structure is at least 25 years old.

Permits a city, town or county to enhance property tax abatement schedules to allow up to three years of 100% abatement if the business meets one of the following criteria: (1) locates in a large vacant building; (2) agrees to invest at least \$10 million in the community; (3) rehabilitates and occupies property in designated downtown areas; or (4) locates in a county with high unemployment. Authorizes an alternative method for calculating the amount of a property tax abatement that ties the duration of the abatement to the scope of the project as measured by the amount of the investment in real and personal property, the number of new jobs, and the wages paid on the new jobs. Authorizes cities and counties to pay hiring incentives for new employment in their jurisdictions. Requires hiring incentives to be paid from local option income taxes received by the city or county. Provides that the hiring incentives may not exceed the local option income taxes paid by the new employees. **Chamber Position: SUPPORT Reason:** This bill provides local units with several new tools to promote economic development. The taxation of personal property is a detriment to economic development and an impediment to capital investment. Providing local units with the option to exempt personal property will enhance their ability to entice new businesses to their communities and encourage the expansions and new capital investments by existing businesses. The bill also enhances the options for abating real property and provides new incentives that will effectively promote redevelopment, new development and new jobs.

Contact: Bill Waltz (317) 264-6887

HB 1008 Tax Benefits (Torr)

Increases the maximum amount of tax credits available under the venture capital investment tax credit (VCIC) for the provision of qualified investment capital to a particular qualified Indiana business from \$500,000 to \$1,000,000 for calendar years after 2010. Requires investments eligible for

the venture capital investment tax credit to be made before January 1, 2015, instead of January 1, 2013. Suspends, beginning July 1, 2011, and ending June 30, 2013, the application fee allowed in current law for applicants seeking certification for the venture capital investment tax credit.

Chamber Position: SUPPORT Reason: The VCIC is an important and proven effective credit that pays for itself many times over. Making venture capital more available to promising startup companies is an essential element in nurturing new business development. The VCIC has been key to the growing high tech and biotech industries in Indiana. Making the VCIC more broadly and readily available can only be viewed as a plus for Indiana's economy.

Contact: Bill Waltz (317) 264-6887

HB 1015 Long-term Care Insurance Commissions (Torr)

Removes the 200% limitation on first year commissions for producers of long-term care insurance. **Chamber Position: SUPPORT Reason:** Removal of the commission limitation could encourage more sales of long-term care products. And more long-term care policies being sold means that fewer individuals would be relying on Medicaid for long-term care.

Contact: Mike Ripley (317) 264-6883

HB 1018 Smoking Ban in Public Places (C. Brown)

Prohibits smoking: (1) in public places; (2) in enclosed areas of a place of employment; (3) in certain state vehicles; and (4) within 12 feet of a public entrance to a public place or an enclosed area of a place of employment. **Chamber Position: SUPPORT Reason:** There is a significant financial impact that smoking has on businesses in providing employee health benefits and other work-related costs.

Contact: Mike Ripley (317) 264-6883

HB 1022 Officeholder Qualifications (Saunders)

Prohibits a county, city or town employee from being a candidate for or serving on the legislative or fiscal body of the county, city or town that employs the employee. Allows a county, city or town employee serving on a fiscal or legislative body on July 1, 2011, to serve the remainder of the member's term. **Chamber Position: SUPPORT Reason:** This eliminates the conflict of interest with an employee of a unit of local government from serving on its legislative or fiscal body.

Contact: Mark Lawrance (317) 264-6893

HB 1024 Notice of Foreclosure to Property Insurers (Lehman)

Requires an insurer to provide a written notice of policy cancellation to the named insured at least 20 days before canceling a policy covering residential property if the insurer has received a copy of the complaint filed in the foreclosure action concerning the insured property. Insurance committee amended to include similar language on auto coverage from HB 1031.

Chamber Position: SUPPORT Reason: When businesses purchase a commercial policy and select hired non-owned auto coverage, they do not expect to be covering uninsured motorist/underinsured motorist coverage for employees' use of their own personal vehicles.

Contact: Mike Ripley (317) 264-6883

HB 1028 Employee's Right-to-work (Culver)
Makes it a Class A misdemeanor to require an individual to (1) become or remain a member of a labor organization; (2) pay dues, fees or other charges to a labor organization; or (3) pay to a charity or another third party an amount that represents dues, fees or other charges required of members of a labor organization as a condition of employment or continuation of employment. **Chamber Position: SUPPORT Reason:** In a free society, no one should be forced to belong to or support an organization as a condition of employment. Furthermore, new research finds that if Indiana had adopted a right to work law in 1977, the household (family of four) income of Hoosiers would be \$11,700 higher than it is today.

Contact: George Raymond (317) 264-6884

HB 1031 Uninsured and Underinsured Motorist Coverage (Lehman)

Exempts coverage for certain motor vehicles used for business purposes in connection with a commercial policy of property and casualty insurance from the law requiring an insurer to make available uninsured and underinsured motorist coverage.

Chamber Position: SUPPORT Reason: When businesses purchase a commercial policy and select hired non-owned auto coverage, they do not expect to be covering uninsured motorist/underinsured motorist coverage for employees' use of their own personal vehicles.

Contact: Mike Ripley (317) 264-6883

HB 1034 Immunizations by Pharmacists (Davisson)

Allows a pharmacist to administer an immunization for shingles or pneumonia to a group of individuals under a drug order, under a prescription or according to a protocol approved by a physician if certain requirements are met. Allows a physician's immunization protocol to apply to minors who are at least nine years of age. (Current law allows the protocol to apply only to minors who are at least 14 years of age.)

Chamber Position: SUPPORT Reason: It would appear to increase access without increasing costs.

Contact: Mike Ripley (317) 264-6883

HB 1035 Logistics Development Incentives (Reske)

Authorizes a county to adopt an ordinance providing a temporary exemption from the wheel tax for vehicles owned and used in the operation of 21st century logistics enterprises at certain locations. Authorizes a county to adopt an ordinance providing a temporary exemption from the commercial vehicle excise tax for vehicles owned and used in the operation of 21st century logistics enterprises at certain locations. Limits the

exemptions to vehicles owned and used at a new logistics enterprise or in the expansion of the fleet of an existing logistics enterprise. Allows exemptions for certain registration years beginning after December 31, 2011, and ending before January 1, 2017. Requires the Indiana Economic Development Corporation to certify the owner's eligibility for an exemption. **Chamber Position: SUPPORT Reason:** The Indiana Chamber supports reasonable tax incentives for businesses to make new capital investments. This legislation would provide a well-defined and temporary exemption for logistics enterprises making key investments, enhancing Indiana's competitive position in the pursuit of new jobs, economic activity and, ultimately, a larger tax base.

Contact: Cam Carter (317) 264-6892

HB 1039 Nanotechnology Initiative (Reske)
Allows the award of grants or loans from the Indiana 21st Century Research and Technology Fund to support proposals for economic development in nanotechnology. Provides a personal property tax exemption for certain nanotechnology equipment. **Chamber Position: SUPPORT Reason:** The Indiana Chamber supports the continued funding and utilization of the 21st Century Fund, as well as reasonable incentives for businesses to make capital investments. This bill addresses a critical high-growth potential industry that fits the fund's high-tech economic development mission.

Contact: Cam Carter (317) 264-6892

HB 1043 Employee's Right-to-work (Torr)
Makes it a Class A misdemeanor to require an individual to (1) become or remain a member of a labor organization; (2) pay dues, fees or other charges to a labor organization; or (3) pay to a charity or another third party an amount that represents dues, fees or other charges required of members of a labor organization as a condition of employment or continuation of employment. **Chamber Position: SUPPORT Reason:** See HB 1028.

Contact: George Raymond (317) 264-6884

HB 1046 Property Tax Deduction for New Unsold Residences (Crouch)
Provides a 100% property tax deduction to a residential builder for a single family residence, townhouse or condominium that has never been occupied as a principal residence. The deduction terminates when title to the structure is transferred to the homeowner. The deduction applies for one assessment date for which the structure is assessed as partially completed and not more than three assessment dates for which the structure is assessed as fully completed. **Chamber Position: SUPPORT Reason:** Recovery of the housing market is of great importance to the recovery of our overall economy. Residential builders were among those hardest hit. This bill helps this industry through these tough times by temporarily relieving them from paying taxes on their built but unsold inventory.

Contact: Bill Waltz (317) 264-6887

HB 1050 Texting While Operating a Motor Vehicle (Moses)

Provides that a person who uses a telecommunications device to transmit a text message or electronic mail message while operating a moving motor vehicle commits a Class D infraction. Provides that a person who uses a telecommunications device to transmit a text message or electronic mail message while operating a moving vehicle and causes an accident commits a Class B infraction. Repeals a definition of "telecommunications device" that is superseded by this act. **Chamber Position: SUPPORT IN PART Reason:** The Indiana Chamber supports restricting the dangerous activity of texting while operating a motor vehicle as long as the penalties remain reasonable (an infraction), are limited to texting only and do not interfere with intrastate or interstate commerce.

Contact: Cam Carter (317) 264-6892

HB 1056 Variable Local Option Income Tax (Thompson)

Variable local option income taxes. Authorizes a taxing unit to impose variable local option income taxes to replace revenue lost to the local unit as a result of: (1) the application of the circuit breaker credit; or (2) the elimination of property taxes on real property wholly owned by individuals residing in the local unit where the individuals pay a variable local option income tax. Repeals the distressed unit appeal board statute. **Chamber Position: SUPPORT IN PART Reason:** The Chamber generally supports the option of local units to adopt local option income taxes to replace property tax revenues.

Contact: Bill Waltz (317) 264-6887

HB 1057 Real Property Assessment (Thompson)

Real property reassessment. Requires the county assessor of each county before 2014 to prepare and submit to the Department of Local Government Finance (DLGF) a reassessment plan for the county that first applies for the assessment date in 2016. Specifies that the reassessment plan is subject to approval by the DLGF. Provides that the reassessment plan must divide all parcels of real property in the county into different groups of parcels. Requires that each group of parcels must contain at least 25% of the parcels within each class of real property in the county. Establishes procedures for taxpayers to petition the DLGF for reassessment of parcels in a group and a schedule for completion of reassessment of parcels in a group. **Chamber Position: SUPPORT IN PART Reason:** The Chamber supports the concept of "rolling reassessments" so long as they are implemented fairly and uniformly under appropriate rules of the DLGF. Assessing a portion of the parcels each year on a rolling basis would make general reassessment a smoother and more effective process, while providing substantial savings to the counties on contract expenses.

Contact: Bill Waltz (317) 264-6887

HB 1062 Basic Health Insurance Coverage
(T. Brown)

Allows, under certain circumstances, an accident and sickness insurer or a health maintenance organization to provide a policy or contract without complying with all health benefit mandates. **Chamber Position: SUPPORT Reason:** The Chamber opposes legislative health care mandates that increase the cost of small employers to provide health insurance benefits to their employees. This bill would allow both an individual and a small group employer to purchase a health insurance policy without some of the statutorily required mandates, and possibly reduce the cost of health insurance premiums. Although the Chamber supports this bill, the federal Patient Protection and Affordable Care Act may negate this idea when “essential benefits” are determined by the U.S. Department of Health and Human Services.

Contact: Mike Ripley (317) 264-6883

HB 1063 Individual Out-of-state Health Insurance (T. Brown)

Allows an accident and sickness insurer that is licensed in certain other states, and is not licensed in Indiana, to issue or deliver an individual policy of accident and sickness insurance to an individual resident of Indiana without complying with other Indiana insurance law. **Chamber Position: SUPPORT IN PART/OPPOSE IN PART Reason:** This bill impacts individual coverage only. The general concept is supported by the U.S. Chamber at the federal level. It has good intentions by attempting to get more individuals insured and bringing more competition into the market place. However, selling out-of-state policies would result in less insurance premium tax revenue generated. Most importantly, in the event of an insolvency by a company not holding an Indiana certificate, there is some question as to how Indiana residents’ claims would be paid when these companies would not be participating in the guarantee fund.

Contact: Mike Ripley (317) 264-6883

HB 1066 Abandoned Housing (Day)

Requires a person who purchases property at a foreclosure sale to record the deed within 60 days. With respect to mortgaged real property that the mortgagor surrenders in writing to the court or to a mortgagee, provides that 30 days after the date on which the mortgagor surrenders real property the mortgagee is responsible for ensuring that the property does not violate local ordinances or nuisance, unsafe building and vacant and abandoned structures statutes. Specifies that the mortgagee is personally liable for ensuring that the property complies with local ordinances or nuisance, unsafe building, and vacant and abandoned structures statutes, and provides that the mortgagee may be liable for additional civil penalties as determined by the appropriate local legislative body. Requires a mortgagee to whom property has been surrendered to record the mortgagee’s interest in the property not later than 60 days after receipt. Provides that a mortgagee has the authority to enter onto real property in order to carry out its responsibilities. **Chamber Position: OPPOSE IN PART Reason:** The Chamber is opposed to placing overly

burdensome requirements and unjustified liabilities on a foreclosing mortgagee. A mortgage holder should not be forced to choose between protecting its interest in the property and assuming unreasonable obligations associated with taking back abandoned properties.

Contact: Bill Waltz (317) 264-6887

HB 1067 Public Works Project (Hinkle)

Provides that the plans, specifications and contract documents for a public works project may not require bidders, contractors or subcontractors to enter into or comply with certain agreements with labor organizations. **Chamber Position: SUPPORT Reason:** This should help lower costs on public work projects by allowing all contractors to bid and work on a job. Many projects, including the construction of Lucas Oil Stadium and the Indianapolis Public Library, were done under project labor agreements which, because of onerous provisions contained in the agreement, had the effect of excluding many well qualified contractors from bidding on the project or portions of it.

Contact: George Raymond (317) 264-6884

HB 1074 School Board Elections at General Election Time (Noe)

Provides that, beginning in 2012, school board members selected by election must be elected at general elections and take office the following July 1. Repeals provisions related to the election of school board members at the primary election. **Chamber Position: SUPPORT Reason:** School boards play critical roles in setting local tax rates and in their oversight of local public schools. Yet, most school board members are elected during primary elections in the spring when voter turnout is typically at its lowest. The Indiana Chamber supports moving all school board elections to the fall as part of general elections to help assure higher voter participation in these important local elections and greater involvement of the public in the oversight of local public schools.

Contact: Derek Redelman (317) 264-6880

HB 1080 Health Plan Access to Providers (Welch)

Prohibits certain health plan contract provisions concerning a contracted provider’s acceptance of patients. Allows health plan contract provisions requiring a contracted provider to notify the health plan of the provider’s decision regarding acceptance of patients. **Chamber Position: OPPOSE Reason:** This bill will not lower health care costs, create competition or increase access to health care. It allows physicians to close their practices to new patients who have health insurance plans for which physicians don’t want to provide service. It is discriminatory toward employees and will drive up health insurance plan costs to both employers and employees.

Contact: Mike Ripley (317) 264-6883

HB 1088 Identification Requirements for Alcohol Purchases (Pelath)

Repeals a provision that makes it a Class B misdemeanor for an alcoholic beverage permittee or the permittee's employee or agent to recklessly, knowingly or intentionally sell, barter, exchange, provide or furnish another person an alcoholic beverage for consumption off the licensed premises without first requiring the person to produce proof that the person is 21 years of age by: (1) a driver's license; (2) a government issued identification card; or (3) a government issued document; that bears the person's photograph and birth date. **Chamber Position: SUPPORT Reason:** The Indiana Chamber supports repeal of Indiana's onerous law requiring persons and businesses selling alcoholic beverages to seek identification/proof of age from all purchasers. Employee training, use of common sense and good faith efforts to seek identification from purchasers who may be under the legal age of 21 are sufficient. The current (and recently enacted) law has proven unworkable and unpopular.

Contact: Cam Carter (317) 264-6892

HB 1111 Drug Regimen Protocols (Welch)

Allows a physician to adopt a protocol that allows a pharmacist to adjust a patient's drug regimen in a setting other than a hospital. Requires a pharmacist to communicate with the admitting practitioner to receive approval to begin the protocol. (Current law requires communication only if a protocol involves parenteral nutrition of the patient.) **Chamber Position: SUPPORT Reason:** This bill increases access without increasing costs and keeps the physician in the process.

Contact: Mike Ripley (317) 264-6883

HB 1112 Land Application of Industrial Waste Products (Pond)

Requires the timely approval of land application of industrial by-products and to use the same standards for the industrial by-products as are applied to similar products. **Chamber Position: SUPPORT Reason:** The Chamber supports the use of by-products in applications where it is economically prudent and does not present an unreasonable risk to public health or the environment.

Contact: Vince Griffin (317) 264-6881

HB 1129 Use of Telecommunications Device While Driving (Koch)

Provides that it is a Class C infraction if a person uses a telecommunications device to type, transmit or read a text message or electronic mail message while operating a moving motor vehicle. Allows a person to use hands-free or voice-operated technology to transmit a text message or electronic mail message while operating a moving motor vehicle. Provides, for purposes of the prohibition against using a telecommunications device while operating a motor vehicle, that "telecommunications device" does not include: (1) amateur radio equipment operated by a person licensed by the Federal Communications Commission as an amateur radio operator; or (2) a communications system installed in a

commercial vehicle weighing more than 10,000 pounds. Prohibits a police officer from confiscating a telecommunications device for the purpose of determining compliance or confiscating a telecommunications device and retaining it as evidence pending trial for the violation. Repeals the current definition of "telecommunications device."

Chamber Position: SUPPORT Reason: See HB 1050.

Contact: Cam Carter (317) 264-6892

HB 1130 Opportunity to Correct a Violation (Koch)

Imposes a duty on an agency under certain circumstances to give a person an opportunity to correct an alleged violation of law that is discovered in an inspection. **Chamber Position: SUPPORT Reason:** In situations where an inspector finds something that is wrong but does not present an unreasonable threat to the public health or environment, the inspector has the discretion to allow the business to correct the problem within a short period of time. This promotes a positive relationship between the regulatory agencies and Indiana business and industry, and promotes the "assistance before enforcement" philosophy.

Contact: Vince Griffin (317) 264-6881

HB 1131 Video Service Franchise Fees (Koch)

Provides that a provider of video service to Indiana customers under: (1) a certificate of franchise authority issued by the Indiana Utility Regulatory Commission; or (2) an unexpired local franchise issued by a local unit before July 1, 2006; may not be required to pay a franchise fee to any local unit with respect to any calendar quarter or other reporting period that begins after June 30, 2012. Provides for the expiration of a definition that becomes obsolete upon the expiration of the statutes in which the definition is used. Amends incorrect references to federal telecommunications law. Amends an incorrect reference to a date in the state's video service franchising law. **Chamber Position: SUPPORT Reason:** The Indiana Chamber supported comprehensive telecommunications reform that has led to vigorous new investment in our data infrastructure and job creation, as well as moving regulatory authority of video services from local entities to the state. This bill would further that process and eliminate a needless layer of government interference.

Contact: Cam Carter (317) 264-6892

HB 1134 Confined Feeding Operations Manure (Saunders)

Establishes requirements concerning the application and staging of manure generated by a confined feeding operation.

Chamber Position: OPPOSE Reason: There are existing state rules that adequately control manure from confined feeding operations. Additional laws are not needed in this area.

Contact: Vince Griffin (317) 264-6881

HB 1136 Injuries to or Death of an Employee (Stevenson)

Provides that certain employers or their agents that cause the serious bodily injury or death of an employee as a result of a reckless or knowing violation of certain administrative rules commit either a misdemeanor or a felony depending upon the circumstances. **Chamber Position: OPPOSE Reason:** There are already federal and state laws that adequately address these issues.

Contact: George Raymond (317) 264-6884

HB 1145 Lake Station School Board Election Date (V. Smith)

Provides that the members of the governing body of the Lake Station School Corporation are elected at the general election instead of the primary election. **Chamber Position: SUPPORT Reason:** See HB 1074.

Contact: Derek Redelman (317) 264-6880

HB 1146 Flavored Tobacco Products and Cigarettes (V. Smith)

Makes the manufacture, distribution or advertising of flavored cigarettes a Class A infraction, and provides that the alcohol and tobacco commission may revoke the registration or sales certificate of a person who manufactures, distributes or advertises flavored cigarettes. **Chamber Position: OPPOSE Reason:** The Chamber supports a smoking ban in the workplace because of the financial impact smoking has upon providing employee health benefits and other work-related costs. Making the manufacture, distribution or advertising of flavored cigarettes a Class A infraction is excessive government intervention.

Contact: Mike Ripley (317) 264-6883

HB 1149 Repeal of Valuation Method for Certain Property (V. Smith)

Requires the county assessor of each county before 2014 to prepare and submit to the Department of Local Government Finance (DLGF) a reassessment plan for the county that first applies for the assessment date in 2016. Specifies that the reassessment plan is subject to approval by the DLGF. Provides that the reassessment plan must divide all parcels of real property in the county into different groups of parcels. Requires that each group of parcels must contain at least 25% of the parcels within each class of real property in the county. Establishes procedures for taxpayers to petition the DLGF for reassessment of parcels in a group and a schedule for completion of reassessment of parcels in a group. **Chamber Position: OPPOSE Reason:** The Chamber opposes the repeal of the provision that allows integrated steel mill and oil refinery-petrochemical equipment to be fairly depreciated for assessed valuation purposes.

Contact: Bill Waltz (317) 264-6887

HB 1154 Health Care Sharing Ministries (Koch)

Provides an exclusion from an individual's adjusted gross income for amounts: (1) that the individual receives from a

health care sharing ministry, a participant of a health care sharing ministry or the employer of a participant of a health care sharing ministry; and (2) that an individual's employer pays on behalf of the individual because the individual is a participant of a health care sharing ministry. Provides an adjusted gross income tax deduction to an employer for payments that the employer makes on behalf of an employee who is a participant of a health care sharing ministry. Exempts a health care sharing ministry from requirements of the insurance law. **Chamber Position: SUPPORT Reason:** This bill allows for the creation of a health cooperative/sharing ministry among individuals of the same religious beliefs. It allows them to provide physical, financial or medical attention to like-minded individuals permitted to join the cooperative. It is not an insurance policy and provides a disclaimer as such to proposed members. Creating new methods to provide for medical information and pay for medical expenses supplements the existing health care system and may ultimately remove some burdens of cost from the governmental and employer sectors. There is a caution in that this cooperative/sharing ministry should not become a backdoor for a pooling mechanism that would have no capital reserve requirements and then result in potential solvency issues.

Contact: Mike Ripley (317) 264-6883

HB 1155 Reduction or Suspension of Sentences (Thompson)

If a person is convicted after June 30, 2011, at the time the person is sentenced, the court may set a date after which the court may conduct at least one hearing to consider modifying the person's sentence. Allows the court to reduce or suspend the person's sentence after the hearing. **Chamber Position: SUPPORT Reason:** This procedural change may allow non-violent offenders to have their sentence modified and incarcerated in a less expensive means, based on the case.

Contact: Mark Lawrance (317) 264-6893

HB 1156 Elimination of Property Taxes (Thompson)

Eliminates all ad valorem property taxes. Provides for the implementation of a local residential income tax, a local fire and safety benefit tax, a state commercial activity tax, and a state employer payroll expense tax to replace revenue lost to political subdivisions from the elimination of property taxes. Increases the state gross retail and use tax. Reduces the state adjusted gross income tax rate. Makes other changes to the tax laws. Makes appropriations. **Chamber Position: OPPOSE Reason:** Although the elimination of property tax would have some benefit to economic development, the proposed replacement revenue sources are more than correspondingly detrimental. The commercial activities tax, a form of gross receipts tax, is proving to have a negative influence on business investment in Ohio since it was adopted there two years ago. Indiana wisely moved away from taxing gross receipts as part of the 2002 restructuring. This would be a huge step backwards. Likewise, the payroll tax would certainly have an extremely detrimental impact on businesses struggling in these difficult economic times. The bill overall poses major tax restructuring

and attempts to strike a new balance of taxation. The Chamber opposes the selection of tradeoffs.

Contact: Bill Waltz (317) 264-6887

HB 1165 Taxation of Civil Service Annuities (Kersey)

Provides a 100% income tax deduction, beginning in 2016, for federal civil service annuity income received by an individual or the individual's surviving spouse after subtracting Social Security benefits and railroad retirement benefits. Phases in the deduction from 2012 through 2015. Removes the requirement that an individual must be at least 62 years of age to be eligible for the federal civil service annuity income tax deduction. Provides that an individual's surviving spouse may be eligible for the federal civil service annuity income tax deduction. **Chamber Position: OPPOSE Reason:** The Chamber sees no rationale for distinguishing between the sources of annuity income for the purpose of providing a 100% deduction. If a deduction is not justified for all annuity income, then no deduction should be provided for any particular annuity income.

Contact: Bill Waltz (317) 264-6887

HB 1167 Employee Right to Parenting Time (Kersey)

Requires the employer of a parent to provide parenting time to an employee parent if a court has ordered parenting time during the employee's regularly scheduled hours of employment. **Chamber Position: OPPOSE Reason:** Most employers already provide paid vacation time and many also provide paid personal days off. Employers with 50 or more employees are also subject to the requirements of the Family Medical Leave Act. This bill would add an additional unnecessary burden to both employers and fellow employees.

Contact: George Raymond (317) 264-6884

HB 1170 Public Safety Local Option Income Tax (Morris)

Provides that a county or municipality that receives revenue from a local option income tax (LOIT) for public safety may use the public safety LOIT only to increase the total amount available for expenditure for public safety purposes. Provides that the public safety LOIT may not be used to reduce or replace revenue devoted to public safety purposes from any other source of revenue. **Chamber Position: SUPPORT Reason:** This bill ensures that if a public safety LOIT is used, that it should be used for public safety only and not to reduce or replace revenue for public safety.

Contact: Mark Lawrance (317) 264-6893

HB 1175 Alcohol Displays (Burton)

Requires a holder of a liquor dealer permit, other than a package liquor store, to display liquor for sale in a room or partitioned area separate from other retail items for sale on the premises. Prohibits a minor from entering the room or partitioned area without a parent or guardian who is at least 21 years of age. **Chamber Position: OPPOSE Reason:** The

Indiana Chamber believes it is regulatory overreach to have state government dictate the floor plans of retail establishments in this manner.

Contact: Cam Carter (317) 264-6892

HB 1183 Indiana Business Price Preferences (Dermody)

Provides an additional preference for purchases made by a state agency for supplies manufactured or assembled by an Indiana business in Indiana. Deletes a provision specifying that the Indiana price preferences are ignored in certain circumstances if an offeror is from a state bordering Indiana. **Chamber Position: SUPPORT Reason:** The Indiana Chamber supports reasonable efforts to have state government make purchases from Indiana-based vendors while providing value and good stewardship of tax dollars to Hoosier taxpayers. The preferences in this bill are well-structured and similar to those used by other jurisdictions.

Contact: Cam Carter (317) 264-6892

HB 1202 Direct Access to Physical Therapy Services (Ubelhor)

Removes a provision concerning the licensure of physical therapists providing that a physical therapist may practice physical therapy only upon the order or referral of a physician, podiatrist, psychologist, chiropractor or dentist. **Chamber Position: OPPOSE Reason:** While this bill appears to increase access it, will most likely lead to increased costs. Physical therapists having direct access will at some point want direct billing. If these services have direct billing, the result will be increased utilization and result in increased costs.

Contact: Mike Ripley (317) 264-6883

HB 1203 Employee Representation Campaigns (Ubelhor)

Provides that an individual's right to vote by secret ballot and an employer's right to engage in a campaign in connection with an election that is required or permitted by Indiana or federal law for the designation, authorization or retention of employee representation is guaranteed, unless there is a conflict with the National Relations Act or another federal law or regulation concerning labor relations or labor organizations. **Chamber Position: SUPPORT Reason:** The right to vote by secret ballot is one of our country's most fundamental rights and should be preserved for all elections in order to ensure that people are not intimidated or coerced into voting contrary to their beliefs and desires.

Contact: George Raymond (317) 264-6884

HB 1207 Unemployment Compensation and Drug Testing (Ubelhor)

Provides that an individual who is otherwise qualified for unemployment benefits is disqualified for benefits upon a report to the Department of Workforce Development by a prospective employer that the individual was found to have had a positive post offer or pre-employment drug test. **Chamber Position:**

SUPPORT Reason: Persons abusing drugs should not be permitted to collect unemployment benefits.

Contact: George Raymond (317) 264-6884

HB 1209 Coverage for Tamper-resistant Opioids (Davisson)

Specifies requirements for coverage of tamper-resistant opioids under a policy of accident and sickness insurance or a health maintenance organization contract. **Chamber Position: OPPOSE Reason:** There are potential cost increases to small group policies that are associated with this requirement of insurers on tamper-resistant opioids. The Chamber has historically opposed requirements or mandates to policies that potentially increase the cost of premiums to employers. Also, this product is not subject to preauthorization which binds the hands of insurers, prohibiting them from potentially controlling costs.

Contact: Mike Ripley (317) 264-6883

HB 1219 Assessment of Real Property (Culver)

Provides that the assessed value of property determined in an appraisal submitted by a taxpayer may be substituted for the assessed value determined by any other method. Limits for four years the amount that the assessed value of property can increase after the assessed value is determined in an appeal. **Chamber Position: OPPOSE IN PART Reason:** While the Chamber appreciates the objective of this bill, it is reluctant to endorse the provisions that dictate the application of an appraisal to change the assessment. If the appraisal is truly representative of the property's value, it should be given proper weight in the appeal process.

Contact: Bill Waltz (317) 264-6887

HB 1220 Partial Unemployment Benefit (Culver)

Establishes a partial unemployment benefit for an individual who accepts work that pays less than the individual's unemployment benefit. **Chamber Position: SUPPORT Reason:** Currently, Indiana's unemployment trust fund has borrowed more than \$1.9 billion in order to pay unemployment claims and Indiana's unemployment rate hovers around 10%. Many employers have reported that they have jobs available but people don't want to take them because the wages on the job may be less than their unemployment benefits. This bill would hopefully act as an incentive to get some of those unemployed people back on the payroll.

Contact: George Raymond (317) 264-6884

HB 1221 Life Insurance and Medicaid (T. Brown)

Allows the state to use federal or state Medicaid funds to pay life insurance premiums and expenses for a Medicaid applicant or recipient who has irrevocably named the state as the beneficiary of a life insurance policy or assigned a life insurance policy to the state. Provides that the value of a life insurance policy owned by an applicant or recipient may not be considered in determining Medicaid eligibility if the applicant or recipient has irrevocably named the state as the beneficiary or assigned the life insurance policy to the state.

Chamber Position: SUPPORT Reason: The Chamber

supports measures that could potentially reduce Medicaid expenditures. If the state is beneficiary to a life insurance policy this could be an opportunity to recoup additional Medicaid expenditures.

Contact: Mike Ripley (317) 264-6883

HB 1234 Recycled Newsprint Fee (Wolkins)

Imposes fees and penalties on newspapers to promote the use of recycled paper. **Chamber Position: OPPOSE Reason:** The goal of HB 1234 to promote the use of recycled paper is laudable, but the Chamber opposes the imposition of a fee. The Chamber supports incentives, not penalties.

Contact: Vince Griffin (317) 264-6881

HB 1239 Alcoholic Beverages (Noe)

Creates a supplemental dealer's permit and a cold beer dealer's permit. Provides that a supplemental dealer's permit may be issued only to a holder of a beer, wine or liquor dealer's permit. Allows the holder of a supplemental dealer's permit to sell alcoholic beverages for carryout on Sunday. Allows the holder of a cold beer dealer's permit to sell cold beer. Establishes fees for a supplemental dealer's permits and a cold beer dealer's permits. Requires the fees to be deposited in the enforcement and administration fund of the alcohol and tobacco commission. Allows the: (1) holder of a package liquor store permit, farm winery permit or a microbrewery permit to sell carryout alcoholic beverages on Sunday without a supplemental dealer's permit; and (2) holder of a package liquor store permit to sell cold beer without a cold beer dealer's permit. Allows a minor to be on the licensed premises of a package liquor store if the minor is accompanied by the minor's parent or guardian who is at least 21 years of age. Eliminates residency requirements for alcoholic beverage dealers. Repeals a provision that limits the commodities that a package liquor store may sell. **Chamber Position: SUPPORT IN PART Reason:** The Indiana Chamber supports repeal of the current prohibition on the sale of alcoholic beverages (e.g., cold beer) by retailers for carry-out on Sundays. Current law is antiquated, encourages perverse alcohol consumption patterns, and causes the state to forego potential sales and excise tax revenue.

Contact: Cam Carter (317) 264-6892

HB 1249 Higher Education Scholarship (Noe)

Provides an early graduation scholarship to a student who graduates from high school before grade 12. Allows the families of such students to use \$3,500 of state tuition support to attend college and allows remaining funds to be kept by the school district. Requires the state Board of Education to amend its rules to facilitate graduation from high school in less than seven semesters. **Chamber Position: SUPPORT Reason:** The vast majority of Hoosier jobs now and in the future will require post-secondary education. This proposal would assist and incentivize students who are ready for college-level work to begin those pursuits.

Contact: Derek Redelman (317) 264-6880

HB 1250 Parental Initiative for School Reorganization (Noe)

Provides that parents of a school that is in the third or subsequent year of placement in the lowest performance category may petition to reorganize the school by: (1) closing the school and transferring the students to a higher performing school in the same school corporation; (2) reorganizing the school as a charter school; or (3) providing tuition payments for students who wish to transfer from the school to another school corporation or a nonpublic school. Requires the governing body of the school corporation to carry out the reorganization if the parents of at least 51% of the students in the school sign the petition. Requires the Department of Education to create a school performance category of pending reorganization and to place such a school in that category. Provides that once a school has been reorganized, another petition for reorganization may not be submitted for at least five years after the school year in which the reorganization takes place. Requires a school corporation to sell surplus real property to another educational institution if the educational institution is the highest bidder. **Chamber Position: SUPPORT Reason:** Indiana's accountability timeline allows schools to fail for at least six consecutive years before state officials can intervene. This bill would provide the parents of those schools several options for intervening sooner than the state timeline and to initiate school reform efforts on behalf of their children. **Contact: Derek Redelman (317) 264-6880**

HB 1251 Young Entrepreneur Program (Ellsperman)

Requires the Indiana Economic Development Corporation to establish a young entrepreneurs program to promote the business proposals of students in entrepreneurial programs at state educational institutions. Provides that the program must include at least one auction per year in which communities bid for the opportunity to locate a young entrepreneur's start-up business in their community. Requires the Office of Community and Rural Affairs to assist rural communities in preparing for an auction. Requires annual reporting on the impact of the program. **Chamber Position: SUPPORT Reason:** The Indiana Chamber supports building the intellectual capital and entrepreneurial skills of Hoosiers. This is an innovative proposal that should leverage educational investments already made by the taxpayer and could spur economic growth and diversification. **Contact: Cam Carter (317) 264-6892**

HB 1253 Property Assessment (Crouch)

Directs the commission on state tax and financing policy to evaluate whether Indiana should limit increases in the assessed value of property to changes in the consumer price index. **Chamber Position: OPPOSE Reason:** The Chamber opposes assessment limitations that may be so low that they would prevent property from being assessed in accord with its market value and would undermine the equity and integrity of the current system. **Contact: Bill Waltz (317) 264-6887**

HB 1256 Individual Insurance Risk Pools (Borders)

Requires an insurer that issues an individual policy of accident and sickness insurance to continue to accept new risks into at least one policy issued by the insurer for at least five years after the policy is first issued. **Chamber Position: OPPOSE Reason:** Additional policy coverage requirements on insurance companies courtesy the Patient Protection and Affordable Care Act have already led to some insurance carriers leaving the individual market place. This legislation would compound that problem. **Contact: Mike Ripley (317) 264-6883**

HB 1260 School Corporation Health Insurance (Dermody)

Specifies certain requirements and recommendations for school corporation employee health coverage programs. **Chamber Position: SUPPORT Reason:** Creates limits on the "richness" of school health care plans – the cost of which are exploding annually. Eliminates the provision of health care coverage to part-time school board members. **Contact: Derek Redelman (317) 264-6880**

HB 1261 Government Employees Holding Elected Office (Stemler)

Provides that an employee of a county, city, town or township is considered to have resigned from employment with the unit if the employee: (1) assumes the elected executive office of the unit; or (2) becomes an elected member of the unit's executive, legislative or fiscal body. Makes this provision apply to an employee of a unit who assumes an elected office after June 30, 2011. Makes the provision inapplicable to an employee who is the elected executive of or a member of the executive, legislative or fiscal body of a unit on June 30, 2011, and who continues to hold or be reelected to that office. Does not prohibit an employee of a unit from holding an elected office of a unit other than the unit that employs the employee. **Chamber Position: SUPPORT Reason:** The Chamber supports the conflict of interest with government employees who are elected to the legislative or fiscal body of that unit of government after June 30, 2011, but want this to apply to all elected officials who are employees. This bill does not go far enough as it presently exempts current elected officials and allows them to maintain their employment as long as they keep getting elected and keep their job. The exemption should expire at the end of their elected term. **Contact: Mark Lawrance (317) 264-6893**

HB 1263 Removal of Public Officers From Office (Stemler)

Allows a local elected officeholder to be suspended from office if the officeholder is charged with certain felonies or misdemeanors and a two-thirds majority of the legislative body finds that the offense with which the local elected official is charged is relevant to the official's suitability for office and it is in the best interests of the unit that the official be suspended from office. **Chamber Position: SUPPORT Reason:** This is a smart good

government initiative to not allow a person to serve in a public office if they are charged with certain felonies.

Contact: Mark Lawrance (317) 264-6893

HB 1267 Drug Testing and Unemployment Benefits (Kubacki)

Provides that an individual who is required to undergo drug testing as a condition of an offer of employment and who files an initial claim for unemployment benefits must be advised that the individual is disqualified for benefits if the person is found to have a positive drug test or refuses to submit to a drug test.

Chamber Position: SUPPORT Reason: See HB 1207.

Contact: George Raymond (317) 264-6884

HB 1271 Criteria for Industrial Development Programs (Grubb)

Provides that, in deciding whether to award a loan from the Industrial Development Fund, the Indiana Economic Development Corporation (IEDC) and the state Board of Finance may not: (1) require evidence of preliminary commitments to initiate or complete the program; or (2) base their decision on such evidence. Requires the secretary of commerce, in awarding grants from the Industrial Development Grant Fund, to use the same standards used for loans from the industrial development fund. Provides that grants may be awarded for the construction of utilities or public infrastructure to improve the chance of securing future commitments for an industrial development program. Provides that if a unit adopts an ordinance after June 30, 2011, to create an economic development district, a qualified industrial development project proposed for the district is not required to be supported by certain preliminary commitments. Provides that the IEDC, in determining preliminarily whether to authorize a district, may not base its determination on the likelihood that a proposed project will be initiated or accomplished. Updates references to certain federal statutes. **Chamber Position: OPPOSE Reason:** The Indiana Chamber opposes this bill on the grounds that it may drain limited financial resources from the funds enumerated and fundamentally change how they operate. Loans or loan guarantees are qualitatively different than grants – and should remain so. These scarce public dollars should be directed toward real (vs. speculative) projects while leveraging private sector investment and coordinating inter-governmental efforts.

Contact: Cam Carter (317) 264-6892

HB 1275 Local Transfers Between Funds (Saunders)

Authorizes a county, city or town to transfer money from its economic development income tax fund or rainy day fund to its general fund or any fund or account of the county, city or town. Requires a county, city or town to make the transfer by adopting an ordinance or resolution. **Chamber Position: OPPOSE Reason:** The Chamber does not see any justification for making it easier to transfer monies that are collected under the guise of promoting economic development to be transferred to other funds for unrelated purposes.

Contact: Bill Waltz (317) 264-6887

HB 1276 Electronic Textbooks (Goodin)

Provides that after June 30, 2014, “textbook” refers only to material in an electronic or a digital format. Provides that beginning with the 2014-2015 school year, a school corporation may rent or provide only textbooks that are in an electronic or a digital format. **Chamber Position: OPPOSE Reason:** School districts need flexibility to select the materials and format of those materials that will best help their students to succeed academically.

Contact: Derek Redelman (317) 264-6880

HB 1285 Property Tax Exemption for Charities (M. Smith)

Provides that property is eligible for the property tax exemption if it is owned by an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and occupied and used for its Section 501(c)(3) purpose. **Chamber Position: OPPOSE Reason:** Many nonprofit entities organized under Section 501(c)(3) of the Internal Revenue Code are not considered charities or as serving a public purpose. It is for this reason existing law requires them to demonstrate that they serve a religious, educational or charitable purpose in addition to being a 501(c)(3) entity. Entities should not automatically qualify for exemption from property taxes unless they can demonstrate they are in fact religious, educational or charitable entities.

Contact: Bill Waltz (317) 264-6887

HB 1287 Local Option Tax Distributions (M. Smith)

Provides for a distribution of the local income tax rate imposed for public safety to townships and fire protection districts. **Chamber Position: OPPOSE Reason:** This helps fund township public safety services – \$8.2 million statewide – at the expense of counties. We believe that the township fire duties should be transitioned to fire territories.

Contact: Mark Lawrance (317) 264-6893

HB 1290 Property Tax Levy Appeal for Emergencies (M. Smith)

Provides that an unanticipated emergency for property tax levy appeal purposes includes an economic downturn that has caused an unanticipated increase in the amount of township assistance being paid by a township and permits such a township to make a property tax levy appeal to the Department of Local Government Finance. **Chamber Position: OPPOSE Reason:** The Chamber opposes the rebirth of numerous levy appeals, especially those that further fund township operations that could be more uniformly and efficiently provided at the county level. (Property tax reforms eliminated many such appeals in recent years in recognition of how they undermine the levy controls.)

Contact: Mark Lawrance (317) 264-6893

HB 1300 Collection of Sales Tax From Out-of-state Vendors (Delaney)

Provides appropriations for the state to pursue enactment of the federal Main Street Fairness Act. **Chamber Position: SUPPORT Reason:** The Main Street Fairness Act would authorize Indiana (and other states) to require Internet vendors to collect Indiana sales and use taxes. These taxes are the obligation of the Indiana resident buyers under existing law but largely go uncollected since these out-of-state sellers are not required to collect the tax. This puts the Internet vendors at an unfair competitive advantage with Indiana brick-and-mortar sellers. **Contact: Bill Waltz (317) 264-6887**

HB 1303 Local Employees Serving on Governing Bodies (Friend)

Provides that an employee of a political subdivision is considered to have resigned from employment with the political subdivision if the employee becomes an elected member of the political subdivision's legislative body. Provides that the restriction does not prohibit an employee of a political subdivision from holding an elected office of a political subdivision other than the political subdivision that employs the government employee. **Chamber Position: SUPPORT IN PART Reason:** See HB 1261. However, language in the bill does not go far enough. There should be no exemption for current elected officials that would allow them to maintain their employment as long as they keep getting elected. **Contact: Mark Lawrance (317) 264-6893**

HB 1309 Public Works Projects Cost Thresholds (Truitt)

Provides that a political subdivision may perform a public works project using its own workforce if the cost of the project is less than \$150,000. **Chamber Position: SUPPORT Reason:** Although the Chamber supports this bill we believe that the common construction wage law is an archaic relic from The Depression era and should be repealed. **Contact: George Raymond (317) 264-6884**

HB 1325 Repeals Requirement to Produce ID for Alcohol Purchases (Steuerwald)

Repeals a provision that makes it a Class B misdemeanor for an alcoholic beverage permittee or the permittee's employee or agent to recklessly, knowingly or intentionally sell, barter, exchange, provide or furnish another person an alcoholic beverage for consumption off the licensed premises without first requiring the person to produce proof that the person is at least 21 years of age by: (1) a driver's license; (2) a government issued identification card; or (3) a government issued document that bear's the person's photograph and birth date. **Chamber Position: SUPPORT Reason:** See HB 1088. **Contact: Cam Carter (317) 264-6892**

HB 1329 Liability for County Detainee Health Care Services (Dermody)

Allows a county and a health care provider to enter into a reimbursement agreement for a lower reimbursement rate than the statutory rate for health care services provided to individuals subject to lawful detention. Removes expiration dates of applicable statutes. **Chamber Position: SUPPORT IN PART/OPPOSE IN PART Reason:** The Chamber supports local governments contracting to lower their health care expenses for detainees; this keeps local government expenditures lower which ultimately saves money for tax payers. However, when reimbursement rates are less than Medicare rates, providers often must cost shift to the private sector to make up for those lower reimbursement rates. **Contact: Mike Ripley (317) 264-6883**

HB 1331 School Counselors (Porter)

Establishes specific target counselor/student ratios to be used for the hiring of school counselors, school social workers and school psychologists. Requires the Department of Education, in cooperation with other appropriate associations, to develop a uniform job description for school counselors. Requires individuals seeking initial licensure for school counseling to provide evidence of performance in certain areas. **Chamber Position: OPPOSE Reason:** Staffing levels for school and student support staff should be determined by local school leaders based on local needs and priorities. Additionally, schools need more flexibility in their hiring options, not additional licensing requirements mandated by the state. **Contact: Derek Redelman (317) 264-6880**

HB 1337 Teacher Contracts (Behning)

Extends the use of temporary teacher contracts to hiring for positions funded by grants. Establishes a process for contract cancellation for teachers. Provides that a collective bargaining agreement may not include provisions that limit a school employer's ability to restructure schools that do not meet federal or state accountability standards, or that limit a school employer's ability to enter into programs that offer postsecondary credit or dual credits to students. Provides that an agreement may not extend beyond the end of a state budget biennium. Prohibits certain subjects from being bargained collectively, and provides that prohibited subjects and items that lead to deficit financing may not be included in an agreement. Removes provisions concerning discussion subjects. Provides that collective bargaining begins not later than May 1, and makes corresponding changes to related sections. Provides that a school employer may end a status quo period. Provides that if a complaint that is filed alleging an unfair practice is found to be frivolous, the complaining party is liable for costs and attorney's fees. ... **Chamber Position: SUPPORT Reason:** Scales back a range of union practices that prevent schools from operating effectively and efficiently. **Contact: Derek Redelman (317) 264-6880**

HB 1338 Financial Transparency by School Corporations (Behning)

Requires each school corporation, charter school and joint program to maintain a searchable database on the education provider's Internet site of the education provider's expenditures, both budgeted and actual. **Chamber Position: SUPPORT Reason:** Taxpayers deserve clear and accessible information by which to judge how their local schools are spending their tax dollars and serving students. **Contact: Derek Redelman (317) 264-6880**

HB 1340 Adult Education (Behning)

Requires the state Board of Education to receive, distribute and account for funds received for career and technical education under federal law. Assigns to the state board responsibility for the planning and implementation of secondary career and technical education. Requires the state board to develop and coordinate career and technical education on a regional and statewide basis and to prepare budget requests for state and federal funds for career and technical education. Allows the state Workforce Innovation Council to make recommendations concerning the budget requests for the state board's review. Assigns to the council responsibility for the general educational development (GED) diploma program and the planning and implementation of postsecondary career and technical education. Assigns responsibility for adult education to the council and the Department of Workforce Development (DWD). Repeals statutes: (1) establishing the commission for career and technical education; (2) assigning responsibility for the GED diploma program and adult education to the state board; (3) assigning responsibility for postsecondary career and technical education to the commission for higher education; and (4) assigning secondary career and technical education to the council and DWD. Makes conforming changes. **Chamber Position: SUPPORT Reason:** Nearly one million Hoosier adults lack the basic skills that are needed for success in today's economy. This bill realigns the state's training programs to serve those adults more effectively. Many changes are consistent with the recommendations of a 2009 bipartisan study committee on adult education. **Contact: Derek Redelman (317) 264-6880**

HB 1341 Special Education Grants (Behning)

Requires a school corporation, including a charter school, to expend a proportionate share of its state special education grant on providing special education services to parentally placed nonpublic school students with disabilities. **Chamber Position: SUPPORT Reason:** Special needs students who enroll in private schools are counted in the special needs enrollment counts for their local public schools and generate the same funding levels as other special needs students in the district. Federal law requires that the funding generated by private school students must be spent on private school students, but current state law does not. Requiring these funds to be spent on the students who generated them will provide parents with more options, assure that privately-placed special needs students

are better served and provide better opportunities for special needs students to be enrolled in private schools. **Contact: Derek Redelman (317) 264-6880**

HB 1344 Sales Tax (Neese)

Provides that the purchase of a recreational vehicle or cargo trailer that is transported out of Indiana for registration and use in another state or country is exempt from the state gross retail tax regardless of whether the destination state or country provides a similar exemption for Indiana residents. **Chamber Position: SUPPORT Reason:** This bill would reasonably assist a troubled industry that is heavily concentrated in Indiana. **Contact: Bill Waltz (317) 264-6887**

HB 1355 Disclosure of Firearm or Ammunition Information (Eberhart)

Provides that a civil action may be brought against a public or private employer that has required an applicant for employment or an employee to disclose information under certain circumstances about whether the applicant or employee owns, possess, uses or transports a firearm or ammunition. **Chamber Position: OPPOSE Reason:** An employer has the right to know whether someone has brought a firearm onto the employer's property. Current law already provides a remedy for an employee who believes that he has been discriminated against because he brought a firearm onto the employer's property pursuant to IC 34-28-7. **Contact: George Raymond (317) 264-6884**

HB 1359 School Administrators (Turner)

Provides that a superintendent of schools is not required to hold a teacher's or superintendent's license. Provides that a school corporation may have a policy to require administrators to be residents of the school corporation. Repeals a requirement that a county superintendent of schools must have five years of successful teaching experience and hold a superintendent's license. **Chamber Position: SUPPORT Reason:** The operation of school districts – including management of substantial budgets, personnel roles, facilities, transportation fleets and more – is largely irrelevant to the training that is provided to prospective teachers. As is true in nearly all fields, the best qualified people to run a large operation are not necessarily the same set of people who have been trained to work on the front lines of that operation. **Contact: Derek Redelman (317) 264-6880**

HB 1360 School Corporation Health Coverage (Turner)

Requires that health insurance coverage provided by a school corporation to active and retired certificated employees of the school corporation must be provided through participation in a state employee health plan. Prohibits the state from paying any part of the cost of the school corporation employee coverage. **Chamber Position: SUPPORT IN PART Reason:** Studies suggest that moving all school employees to the state's health care plan could save at least \$300 million per year; however, it may be better to limit districts to coverage plans that do not exceed the

cost of the state's health care plan so that local plans that may be less expensive than the state plan do not get eliminated.

Contact: Derek Redelman (317) 264-6880

HB 1369 Pay for Performance Program for School Administrators (Soliday)

Requires the Department of Education and school corporations to work together to set performance goals for improvement in: (1) standardized testing; (2) retention of students and graduation rates; (3) budgeting and fiscal performance; and (4) school administrator professional development. Creates the performance incentive grant to award school corporations that develop a state board approved pay to performance program and that meet the performance goals established by the department for school administrators. Allows for reduction in state tuition support to schools that do not meet the performance goals established by the department for school administrators. **Chamber Position: SUPPORT Reason:** Indiana schools have demonstrated under previous incentive programs that they can and will improve performance in response to performance awards. Moreover, as schools move towards performance incentives for teachers, school administrators ought to be held to similar expectations.

Contact: Derek Redelman (317) 264-6880

HB 1370 Compensation of Township Board Members (Soliday)

Provides that after December 31, 2011, the total compensation and benefits paid to a township board member may not exceed \$7,000 per year. **Chamber Position: SUPPORT IN PART Reason:** This bill has the right concept in mind to limit some of the excessive township board salaries but does not go far enough. **Contact: Mark Lawrance (317) 264-6893**

HB 1376 Local Government (Hinkle)

Abolishes all township boards on January 1, 2012 and transfers their duties to the county council. After December 31, 2011, the county fiscal body is the fiscal body and legislative body of each township in the county. Consolidates the remaining township fire departments in Marion County. Provides that in a county that: (1) contains a consolidated city; or (2) contains a second class city; township government is abolished on the earlier of: (1) January 1, 2015; or (2) the date established by resolution of the township board (before January 1, 2012) or the county fiscal body (after December 31, 2011) and approved by order of the township trustee; and township powers and duties are transferred to the county. Provides that in counties not containing a consolidated city or a second-class city a public question shall be placed on the November 2012 general election ballot in the county regarding whether the voters want to retain township government. If a majority of voters in a county do not approve the public question, the powers and duties of the townships in the county are transferred to the county on January 1, 2015. ... **Chamber Position: SUPPORT Reason:** This is a comprehensive and substantive local government reform bill that abolishes township government in counties with first or second-class cities. In the other counties, it lets the voters decide if they

wish to retain township government. It completes the Marion County fire consolidation with the remaining township fire departments. It sets up fire and poor relief planning processes in which township government is eliminated.

Contact: Mark Lawrance (317) 264-6893

HB 1391 Local Government Issues (Saunders)

Provides that after December 31, 2014, the total compensation and benefits paid to a township board member may not exceed \$5,000 per year. Specifies that each township office must include the address and phone number of the township office in at least one local telephone directory. Requires all township trustees (instead of only certain trustees) to maintain a telephone answering service and respond to a telephone inquiry for township assistance services not more than 24 hours, excluding Saturdays, Sundays and legal holidays, after receiving the inquiry. Requires that a public meeting or a public hearing of a township legislative body must be held in a public place if one is available in the township. Provides that if a trustee does not: (1) accept a completed application for township assistance; or (2) grant or deny a completed application for township assistance within the period required by statute; the application is considered denied, and the denial may be appealed to the board of county commissioners. Provides that a township trustee may receive rental payments from the township for use of office space located in the trustee's private residence if the space is used for conducting official township business. ... **Chamber Position: OPPOSE IN PART Reason:** This makes some modest reforms, such as capping township board salaries to \$5,000, requiring trustees to have an answering service and requiring that meetings be held in a public place, but does not do nearly enough to reform township government. It reduces nepotism after 2015 in townships larger than 25,000 people or if they make over \$10,000, but allows it elsewhere.

Contact: Mark Lawrance (317) 264-6893

HB 1394 Local Public Employees and Office Holders (Heuer)

An individual employed by an agency or department of a political subdivision is considered to have resigned as an employee when the individual assumes an elected office that has any legal authority to propose or approve: (1) the budget of the agency or department that employs the employee; or (2) the salary or other compensation of employees who are employed by that agency or department. Specifies that a political subdivision may not enter into a contract with, employ or otherwise use a bond service provider to perform certain services related to the issuance and sale of bonds if an owner, officer, agent or employee of the bond service provider is a member of the political subdivision's fiscal body, legislative body or executive or is an elected officer of the political subdivision. **Chamber Position: SUPPORT Reason:** This is a good bill that eliminates the conflict of interest of a local government employee who also is elected to an office that has legal authority to propose or approve the budget or salary of employees who are employed at that agency. It does not

“grandfather” in this conflict of interest if that person is already employed by and elected to that unit of government.

Contact: Mark Lawrance (317) 264-6893

HB 1395 Local Government Issues (Wesco)

Provides that in a township containing territory within a municipality that has a population of at least 10,000, after December 31, 2012: (1) the township may continue to exercise the township’s powers and duties only within the territory of the township that is unincorporated or is within a municipality that is located in the township and has a population of less than 10,000; and (2) within each municipality that has a population of 10,000 at least or within the consolidated city, the municipal executive shall exercise the powers and duties otherwise granted to the township trustee, and the municipal fiscal and legislative body shall exercise the powers and duties otherwise granted to the township board. Specifies that in the case of a township that has all of its territory within any municipality having a population of at least 10,000 or a county having a consolidated city, the offices of township trustee, township board and township assessor (if any) of such a township are abolished on January 1, 2013.

Provides that after December 31, 2012, in a county having a consolidated city, salaries of small claims court judges shall be established by ordinance of the city-county council and shall be paid by the county in the same installments as judges of the superior court in the county. ... **Chamber Position: SUPPORT**

IN PART Reason: This bill makes some long overdue township reforms but does not go far enough. It includes a means to eliminate some townships in municipalities with populations in excess of 10,000, but if the township has part in an unincorporated area outside of the municipality, it retains that portion of the township. It keeps the township board members, which are not necessary, as their duties should go to the county council. It does require that townships with less than 1,500 residents must merge with another township. It requires several things that township should have been doing all along, such as capping salaries of board members to \$5,000, requiring for them to have their phone number listed and also have an answering service, hold township board hearings in public places, etc.

Contact: Mark Lawrance (317) 264-6893

HB 1396 Exception to Circuit Breaker Credit (Wesco)

Eliminates an exception to the circuit breaker credit for property taxes imposed in Lake County or St. Joseph County to pay debt service or make lease payments for bonds or leases issued or entered into before July 1, 2008. Repeals a provision memorializing a determination made in 2008 by the General Assembly that the circuit breaker limits were expected to reduce in 2010 the aggregate property tax revenue that would otherwise be collected by all units of local government and school corporations in Lake County and St. Joseph County by at least 20%. **Chamber Position: SUPPORT Reason:** It is the Chamber’s position that the property tax caps (circuit breaker credit) should apply uniformly and equally across the state.

Contact: Bill Waltz (317) 264-6887

HB 1397 Legal Costs (Wesco)

Requires a court to award attorney’s fees to the prevailing party in all civil actions. **Chamber Position: SUPPORT IN PART Reason:** This should eliminate a large number of nuisance lawsuits that are filed without merit, but with the idea and plan that a defendant will pay some amount to settle the lawsuit rather than incurring legal costs to defend the lawsuit. However, there needs to be a provision/mechanism that protects the small or poor plaintiff who has a legitimate claim against a well-funded defendant.

Contact: George Raymond (317) 264-6884

HB 1417 Flexibility in Use of School Funds (McNamara)

Eliminates the expiration of the authority of a school corporation to impose a property tax levy for the capital projects fund for the purposes of paying the costs of insurance and utilities. Permits a school corporation to transfer money to a fund from any other fund, except a school bus replacement fund or a debt service fund, for two years. **Chamber Position: OPPOSE Reason:** In recent years, Indiana has made a substantial change in its funding of schools that has included a shift for school operating funds from local property taxes to state funds. Prior to the shift, the state began allowing some operating expenditures to be paid through funds that were intended for other purposes, such as utility and insurance payments from the capital projects funds. This proposal extends that flexibility, rather than eliminating the outdated practice, and undermines the state’s shift away from property taxes. It also allows schools to forego some of the focus on prioritization and efficiencies that is demanded by the current economic environment.

Contact: Derek Redelman (317) 264-6880

HB 1428 Tax Credit for Hiring Unemployed Persons (Ellspermann)

Provides a nonrefundable \$750 tax credit per employee to a taxpayer that hires an employee that has drawn unemployment funds in Indiana for at least the three previous months if the taxpayer employs the individual for at least 180 days during the taxable year. Provides that the credit is available only in years that the state unemployment rate is above 7.5 % sometime during that calendar year. Provides that the credit is reduced by any economic development for a growing economy tax credits attributable to the same employee, any Hoosier business investment tax credits attributable to the same employee, or the amount of federal or state training grants used in the taxable year to train the employee. Provides that the taxpayer may carry any excess credit over to not more than three subsequent taxable years. **Chamber Position: SUPPORT IN PART Reason:** The Chamber supports the objective of this bill. However, it is difficult to evaluate how effective the credit would be given its similarity to the new employer tax credit provided by IC 6-3.1-33. Said similarity also suggests that implementation issues are likely to arise.

Contact: Bill Waltz (317) 264-6887

HB 1429 Textbooks and Other Curricular Material (Yarde)

Expands the definition of “textbook” to include certain hardware, software and digital content. Adds a definition of “curricular materials.” Removes the authority of the state Board of Education to adopt a list of approved textbooks and requires the governing body of each school corporation to adopt textbooks for the school corporation. Requires the Department of Education to review curricular materials, evaluate the curricular materials alignment to state academic standards and publish the reviews, which governing bodies may use in making textbook adoption decisions. **Chamber Position: SUPPORT Reason:** Provides flexibility to schools to use the best curriculum materials available and eliminates bureaucratic oversight by the state.

Contact: Derek Redelman (317) 264-6880

HB 1430 Disannexation From School Corporations (Lutz)

Creates a process by which residents of part of an existing school corporation can elect to disannex from that corporation and either annex to another existing school corporation or establish a new school corporation. **Chamber Position: SUPPORT IN PART Reason:** Parents and other citizens ought to have greater control over the districts in which they live, including the ability to remove themselves from failing of dysfunctional school districts. However, such freedom should not result in a proliferation of new small districts that are inefficient; thus, the minimal size of a new district created through this legislation may be too small. Smaller areas under this legislation might be better served by combining with other adjacent district, which is another option provided through this bill.

Contact: Derek Redelman (317) 264-6880

HB 1434 Township Government (Davis)

The bill provides that in a township containing one or more municipalities (other than a township located in Marion County), after December 31, 2012: (1) the municipal fiscal body and legislative body is the fiscal and legislative body of the township; (2) the township trustee may continue to exercise the powers and duties of the township trustee only in the unincorporated area of the township; (3) within each municipality located in the township, the municipal executive shall exercise the powers and duties otherwise granted to the township trustee; and (4) the functions, duties and responsibilities of the township assessor (if any) are transferred to the county assessor. It specifies that the offices of township board and township assessor (if any) of such a township are abolished on January 1, 2013. ... **Chamber Position: SUPPORT IN PART Reason:** While this bill intends to merge townships with municipal government and to preserve townships in unincorporated areas outside of a municipality, it is confusing and potentially impractical in its application. This bill is premised on the perception that townships work in rural areas, but not in municipal areas. Indiana is the only state (of the 20 that have townships) in which townships cover the entire state. The Chamber supports the merging of townships with other levels of government, but

prefer that their services be delivered at the county level. This bill calls for townships that are partially or completely within a municipality that the portion in the municipality transfers township duties to that municipality. The problem comes with the portion of a township that remains outside of the municipality that may be too small for any economies of scale to occur. It leaves out other elements of needed township reform such as eliminating nepotism, better accountability and uniform poor relief standards.

Contact: Mark Lawrance (317) 264-6893

HB 1435 Amended Personal Property Returns (Davis)

Extends the time for amending a personal property tax return from six months to one year from the date the original return was filed or the extension date, whichever is later. Provides that if an amended personal property tax return is filed between six months and one year after the filing date or the extension date, whichever is later, the taxpayer’s refund or credit, if any, is reduced by 10%. Provides that if the credit to which a taxpayer is entitled as the result of filing an amended property tax return exceeds \$25,000, a county auditor may carry the credit forward for not more than three succeeding years and apply the credit to the taxpayer’s personal property taxes payable in those succeeding years, with any excess credit remaining after the third year refunded to the taxpayer. **Chamber Position: SUPPORT Reason:** Many taxpayers do not discover errors in their prior year’s return until they begin preparing their current year return and under current law are denied recovery. This bill avoids the harsh treatment disallowing amendments after only six months. (Nearly every other tax allows amendments for a period of years rather than just six months.)

Contact: Bill Waltz (317) 264-6887

HB 1442 Employee Personal Leave (Dvorak)

Provides that certain employees of certain employers are entitled to take 24 hours of paid leave and 16 hours of unpaid leave in a 12-month period. **Chamber Position: OPPOSE Reason:** The state should not interfere with an employer’s right to determine hours of work and establish time-off policies.

Contact: George Raymond (317) 264-6884

HB 1443 School Instructional Time (Dvorak)

Provides that a school corporation shall conduct at least: (1) 900 hours of instructional time for students in grades one through six; and (2) 1,080 hours of instructional time for students in grades seven through 12. Modifies the formula for determining the reduction in the August tuition support distribution to a school corporation that fails to conduct the minimum number of student instructional days during a school term. **Chamber Position: OPPOSE Reason:** This bill relegates schools to counting hours, rather than days, and would allow school districts to reduce their 180-day school year by accumulating additional time over the five- and six-hour minimum school days. This approach assumes that the current minimums are sufficient, which they are not, and would allow school districts to reduce their calendars

significantly when we ought instead to be finding ways to expand student instructional time.

Contact: Derek Redelman (317) 264-6880

HB 1450 Unemployment Insurance (Leonard)
Establishes the weekly unemployment benefit amount as 47% of the individual's prior average weekly wage. Establishes the maximum weekly benefit amount at \$390. Places all employers into Rate Schedule E for the years 2011 through 2020. Establishes a surcharge for employers to pay into the unemployment insurance solvency fund in order to pay interest due on the outstanding balance of federal loans.

Chamber Position: SUPPORT Reason: As of January 13, 2011, Indiana had borrowed almost \$2 billion from the federal unemployment trust fund in order to pay benefits to unemployed Hoosiers. Indiana needs to start paying off this loan and the associated interest. In 2009, HB 1379 was enacted into law. This bill raised the taxable wage base from \$7,000 to \$9,500, expanded the number of rate schedules from five to nine and raised the maximum rate from 5.6% to 10.2%. This bill addresses some of the eligibility and benefit issues that HB 1379 did not address.

Contact: George Raymond (317) 264-6884

HB 1461 Sales Tax on Out-of-state Deliveries (Heaton)

Provides that a retail merchant who: (1) makes a retail sale to a destination in another state; (2) erroneously remits sales tax on the retail sale to the state Department of Revenue; and (3) also remits sales tax to the other state for the retail sale; may claim a refund up to six months after remitting the sales tax to the other state. Provides for a review period to allow retail merchants to claim refunds from the state Department of Revenue for double payments of sales tax for retail sales fitting the above description made between January 1, 2005, and December 31, 2008. **Chamber Position: SUPPORT Reason:** Since retail merchants are performing a service to the state in collecting and remitting sales tax revenues they should not suffer as a consequence of innocent mistakes.

Contact: Bill Waltz (317) 264-6887

HB 1466 Economic Development and State Tax Matters (Reske)

Makes the following changes to economic development programs and income tax provisions: (1) Makes the Economic Development Study Committee a four-year committee that expires December 31, 2014, with a membership including legislative and non-legislative members. Requires the study committee to determine methods for eliminating or reducing the personal property tax statewide and the appropriateness of allowing local government the option of eliminating or abating personal property tax for new investment and economic development purposes. (2) Requires the Indiana Economic Development Corporation (IEDC) to collaborate with local economic development organizations and submit an annual report to the study committee regarding collaboration. (3) Requires the state Board of Education, the Commission for Higher Education and the Department of Workforce

Development to work together to develop entrepreneurship education programs for elementary and secondary education, higher education, and individuals in the work force. ...

Chamber Position: SUPPORT IN PART/OPPOSE IN PART Reason: The Indiana Chamber supports a vigorous, ongoing assessment of Indiana's economic development strategies and tools embodied in this bill, as well as the phase-out of outdated or ineffective tax provisions that simply clutter up the tax code without providing real economic development gains. The Chamber also supports the promotion of entrepreneurship and reducing the state's anti-competitive corporate income tax rate. While further study of methods for eliminating or reducing personal property taxation would be welcomed, it is the Chamber's position that giving local units the option to exempt personal property is a tool that warrants immediate implementation. The Chamber opposes provisions of the bill that would end tax credits for the provision of health benefit plans or wellness programs. The Chamber further opposes changes to the capital access program enumerated in the bill; while well-intentioned, they are likely to prove to be too inflexible and burdensome on entrepreneurial enterprises that must constantly re-evaluate their business plans and strategies in order to succeed in a competitive marketplace.

Contact: Cam Carter (317) 264-6892

HB 1468 Right-to-work (Torr)

Makes it a Class C misdemeanor for an employer to require an individual to become or remain a member of a labor organization, pay dues, fees or other charges to a labor organization or pay to a charity or another third party an amount that represents dues, fees or other charges required of members of a labor organization as a condition of employment. Exempts individuals employed in the construction industry. **Chamber Position: SUPPORT IN PART/OPPOSE IN PART Reason:** The Chamber supports the right-to-work concept, but all employees in Indiana should have the right to decide if they want to work in a union environment. No employee should be forced to join a union or forced to pay some monetary amount in order to work.

Contact: George Raymond (317) 264-6884

HB 1469 Local Government Issues (Torr)

Transfers the county legislative responsibilities from the county executive to the county council. Eliminates township advisory boards and transfers township fiscal powers to the county council. Has referendum vote in November 2012 in each county to retain or eliminate township government. If township government is eliminated in a county, transfers their poor relief, cemetery and weed duties to the county executive. If there is still a township assessor remaining in that township, their duties transfer to the county assessor. Abolishes small claim court constable in Marion County. In counties other than Marion County, a fire protection district is created in the unincorporated territory of each township and shall have a single fire trustee appointed by the county executive. If referendum question to abolish townships is approved in Marion County, the remaining township fire departments in Marion County will merge with the Indianapolis Fire Department. In each county, creates a township assistance

planning board in each county to approve a county plan to deliver emergency poor relief and adopt uniform poor relief standards. ... **Chamber Position: SUPPORT Reason:** This is the preferred local government reform bill that accomplishes many key items with township and county local government reform. It has a countywide referendum to eliminate townships. If that referendum is approved, the township duties transfer to the county executive. If it is not approved, the township advisory board is eliminated and township budgets are approved by the county council. Nepotism and conflict of interest are eliminated. The option for the three county commissioners to change to a single county executive is provided.

Contact: Mark Lawrance (317) 264-6893

HB 1470 Taxes (Turner)

Provides for the return of a part of the state's year-end general revenue surplus to Indiana residents in the form of a refundable adjusted gross income tax credit. Establishes the income tax reduction reserve and procedures to implement the credit program. Indicates that the standard deduction and the circuit breaker credit applies to improvements to structures and improvements on the same land that a building is located. Permits an enhanced tax abatement for vacant buildings in a designated downtown area. Permits the fiscal body for a county, city or town to grant a deduction of 100% of the assessed value of personal property or a credit equal to 100% of the property tax liability that is imposed on personal property. Permits the state Department of Revenue to negotiate a collection allowance for the collection of sales taxes by an out-of-state seller. Increases the personal deduction allowed against individual adjusted gross income tax. Taxes interest on bonds issued by another state or a political subdivision in another state. Prohibits a carryback of an Indiana net operating loss to a prior taxable year. Decreases the adjusted gross income tax rate applicable to corporations. Requires the recapture of a credit given for a contribution to a college choice 529 education savings plan if withdrawals or distributions exceeding 10% of the amount deposited or earned in interest in the immediately preceding three years is withdrawn or distributed. ... **Chamber Position: SUPPORT IN PART Reason:** The Chamber supports several major tax policy changes in this bill that will separately and collectively have extremely beneficial effects over time and undoubtedly spur significant economic development within numerous locales and the for the state as a whole. The bill meaningfully addresses two areas of Indiana's tax climate that currently put Indiana at a competitive disadvantage in attempting to entice business investment and expansion: the taxation of machinery and equipment and our high corporate income tax rate. The reduction of the corporate rate over the next five years from 8.5% to 5.5% will take Indiana from the top to the middle in state rates. Many states no longer tax personal property, including Ohio and Illinois. Giving local communities the option removes this black mark in their locale by granting 100% deductions or credits and will greatly enhance the opportunity to attract new business operations. The other major improvement is the phasing out of the inheritance tax which only serves to motivate residents to move out of Indiana and/or take their assets out of Indiana. The Chamber also

supports the enhanced tax abatement for vacant buildings and the restrictions on collecting disputed taxes until an appeal is resolved.

Contact: Bill Waltz (317) 264-6887

HB 1479 School Performance Turnaround Academies (Behning)

Provides that a school that remains in either of the two lowest performance categories for a fifth year or, in certain circumstances after a third or fourth year, becomes a turnaround academy. Requires the state Board of Education to set specific goals for a turnaround academy, and allows the turnaround academy to be operated by a special management team. Provides that a turnaround academy that meets the goals set for it becomes an independent school corporation.

Chamber Position: SUPPORT Reason: Closes a loophole that would allow a perpetually failing school to avoid state intervention as the result of sporadic and short-lived improvements in performance. Accelerates the timeline for state intervention so that fewer students will be trapped in perpetually failing schools. Codifies specific intervention strategies which are vague in current law.

Contact: Derek Redelman (317) 264-6880

HB 1480 Selection of Superintendent of Public Instruction (Behning)

Provides for the state superintendent of public instruction to be appointed by the governor. Repeals a statute relating to the residency of candidates for state superintendent of public instruction. Deletes a provision describing the term of office of the state superintendent of public instruction. **Chamber Position: SUPPORT Reason:** The public holds the governor most accountable for the state's educational system. Moreover, an appointed superintendent would empower the governor to create and pursue a more coordinated education and financial policy for the citizens of the state.

Contact: Derek Redelman (317) 264-6880

HB 1483 Revenue Update Bill (Espich)

Provides that in order to renew or obtain a license to: (1) operate certain medical facilities; (2) operate a home health agency; (3) operate a health facility; (4) work with radiation or radioactive materials; (5) operate a debt management company; (6) act as a pawnbroker; (7) engage in the business of money transmission; or (8) engage in the business of cashing checks for consideration; the licensee will be required to receive a clearance from the state Department of Revenue (DOR) if the licensee is on DOR's most recent tax warrant list. Provides that certain licensees will be required to receive a clearance from the DOR if the licensee is on DOR's most recent tax warrant list. (Current law provides that these licensees are required to receive a clearance from the DOR if the licensee has a delinquent tax liability.) Provides that the DOR may not renew a registered retail merchant certificate if the retail merchant is delinquent in remitting withholding taxes. ... **Chamber Position: SUPPORT IN PART/OPPOSE IN PART Reason:** The Chamber believes it is important to maintain consistency between the provisions

of the federal Internal Revenue Code (IRC) and the Indiana Code and therefore supports the provisions of this bill that accomplish conformity with the IRC. To the extent this occurs it promotes uniformity in taxation and administrative simplicity. However, the Chamber opposes the selective decoupling from IRC provisions, which also takes place in this bill. The Chamber also opposes the provisions of this bill that apply what is referred to as the “throw back” rule to the financial institutions tax. If the income is not taxed in the locale in which it is earned, it is simply thrown back into what Indiana deems taxable. The Chamber opposes this method of apportioning income.

Contact: Bill Waltz (317) 264-6887

HB 1484 Property Taxes (Espich)

Prohibits the Department of Local Government Finance (DLGF) from approving a budget for a taxing unit that failed to file a financial report with the state board of accounts in the immediately preceding year. Corrects a reference to the date of the 2015 general reassessment. Establishes a procedure for a taxpayer to appeal an error in a circuit breaker or other property tax credit. Changes the methodology for: (1) calculating a civil taxing unit’s maximum permissible ad valorem property tax levy for the preceding calendar year; (2) a civil taxing unit’s maximum permissible ad valorem property tax levy for the ensuing calendar year; and (3) adjusting a maximum permissible property tax rate after a reassessment that does not result in an increase in the assessed value of a taxing unit. Allows a treasurer to include a statement of delinquent taxes and special assessments, interest, and penalties on a provisional statement or reconciling statement. Specifies that a tax imposed for a fire protection territory is subject to the levy limitations imposed on the participating taxing units. Specifies that partial payments shall be applied to reduce delinquent property taxes or judgment amounts before being applied to reduce interest or penalty amounts. ... **Chamber Position: SUPPORT IN PART**

Reason: The Chamber supports the provisions prohibiting budget approval for units that fail to file required financial reports. The Chamber supports the provisions subjecting fire protection territories to levy limitations. The Chamber supports the requirement for the DLGF to approve the language to be placed on the ballot for a referendum – the limitation on explanatory information that may be added to the public question and the limits on the extent a school corporation can promote an operating levy referendum. The Chamber also supports, in general, the efforts in this bill to improve the property tax administration.

Contact: Bill Waltz (317) 264-6887

HB 1486 Insurance Matters (Lehman)

Makes various changes to the law concerning retention of an examiner by the Department of Insurance, annual audited financial reporting, insurance producer education and licensing, insurer investments, holding company system transactions, insurance administrator licensing fees, risk based capital, credit for reinsurance, requirements applying to certain domestic insurers and health maintenance organizations, small employer health insurance plans. Adds a law providing for

limited purpose subsidiary life insurance companies. Adds a law providing for independent adjuster licensing. Defines “industrial insured” for purposes of certain insurer transactions exempt from licensure requirements. Adds a provision concerning treatment of certain agreements in the event of insurer rehabilitation. Amends a provision concerning the conversion of a mutual insurance holding company into a stock company to replace a reference to the former statute on the demutualization of mutual insurance companies with a reference to the current statute on the demutualization of mutual insurance companies. Defines “working capital” for purposes of the law regulating professional employer organizations (PEOs). Amends the current law applying to PEOs with respect to registration and financial requirements and unemployment compensation status. **Chamber Position: SUPPORT Reason:** The Department of Insurance has been trying to make these changes the past two years. Much of this language makes the Indiana statute conform to National Association of Insurance Commissioner standards.

Contact: Mike Ripley (317) 264-6883

HB 1488 Teacher Evaluations and Licensing (Behning)

Establishes an annual staff performance evaluation that categorizes teachers as “highly effective,” “effective,” “improvement necessary” or “ineffective.” Specifies that a teacher rated “ineffective” or “improvement necessary” may not receive a raise or increment for the following year. Eliminates the advisory board of the division of professional standards of the Department of Education. Provides that not more than 50% of the teachers in a charter school are not required to be licensed as teachers or be in the process of obtaining a license (unless the state Board of Education waives the limitation). Requires the Department of Education to revoke the license of a licensed school employee if the employee is convicted in another state or under federal statutes of an offense that is comparable to the felonies for which the employee’s license would be revoked if committed in Indiana.

Chamber Position: SUPPORT Reason: Improves the evaluation process and accountability provisions for teachers.
Contact: Derek Redelman (317) 264-6880

HB 1489 Unemployment Contribution Rates (Friend)

Delays from January 1, 2011, to January 1, 2012, the changes in the taxable wage base and employer contribution rates for the unemployment compensation system. **Chamber Position: SUPPORT Reason:** Because Indiana’s unemployment rate remains near 10%, delaying implementation of the changes to the taxable wage base and contribution rates will save Indiana employers over \$300 million in 2011. They should help keep many Hoosier workers employed during these difficult economic times and, hopefully, enable some employers to even add employees.

Contact: George Raymond (317) 264-6884

HB 1500 School Readiness Grant (Turner)

Provides a school readiness reimbursement grant to a parent of a child who: (1) is born after December 31, 2004; (2) did not attend a kindergarten offered by a public school; (3) has not completed more than 30 school days in grade one in any public or nonpublic school; and (4) successfully completes an assessment that indicates the child's readiness to attend grade one. **Chamber Position: SUPPORT Reason:** Establishes parental choice for kindergarten while also creating accountability for school readiness.

Contact: Derek Redelman (317) 264-6880

HB 1506 Work-sharing Unemployment Benefit (Sullivan)

Establishes a work sharing unemployment insurance program. Requires an employer to submit a work sharing plan for approval by the commissioner of the Department of Workforce Development. Establishes the work sharing benefit as equal to the employee's unemployment benefit reduced by a percentage that is equivalent to the number of hours by which the employee's work hours are reduced. **Chamber Position: SUPPORT IN PART/OPPOSE IN PART Reason:** The overall concept and goal of the bill is OK. However, there should be a monetary threshold established before the provisions of the bill would be triggered. For example, under the current provisions, an employee making \$2,500 per week for a 40-hour work week who saw his hours cut by 20% (goes to a 32-hour week and \$2,000 per week) would be eligible to receive a benefit of \$87 per week.

Contact: George Raymond (317) 264-6884

HB 1508 Student Instructional Time (Pond)

Provides that a school year consists of at least 920 hours for grades one through six, and 1,100 hours for grades seven through 12. Amends the formula for determining a reduction in tuition support for a school corporation that does not conduct the minimum number of hours and a provision concerning the waiver from the reduction. **Chamber Position: OPPOSE Reason:** See HB 1443.

Contact: Derek Redelman (317) 264-6880

HB 1509 Definition of Renewable Energy Resources in Utilities Law (Wolkins)

Amends the definition of "renewable energy resources" in utilities law to add low temperature, oxygen starved gasification of municipal solid waste. **Chamber Position: SUPPORT Reason:** The Chamber supports a cost-effective fuel mix including clean coal technologies, natural gas, domestic petroleum, nuclear and renewables. An expansion of renewables that allows flexibility and diversity helps promote the state's renewable portfolio.

Contact: Vince Griffin (317) 264-6881

HB 1516 Lake County Property Tax (VanDenburgh)

Eliminates a provision that provides that the Lake County assessed value growth quotient for determining a maximum

property tax levy for a particular year is one unless Lake County imposes a 1% local option income tax (LOIT) for property tax relief for that calendar year. **Chamber Position: OPPOSE Reason:** The law freezing Lake County levies represents a policy decision that remains sound. Lake County property taxpayers suffer from the highest rates in the state, yet Lake County is the only county in the state that has neglected to adopt some form of LOIT to help reduce dependence on property taxes. Eliminating the restriction only encourages a greater reliance on property tax and would generate even greater property tax burdens.

Contact: Bill Waltz (317) 264-6887

HB 1519 Compulsory School Attendance (VanDenburgh)

Requires a student to be at least 18 years of age in order to drop out of school. Repeals provisions permitting a student less than 18 years of age to drop out of school under certain circumstances. **Chamber Position: SUPPORT IN PART Reason:** Despite the lack of opportunity to which they are condemning themselves, approximately one out of five Hoosier students continues to leave high school without a diploma. This proposal removes exceptions to Indiana's compulsory attendance law that allows students to drop out of high school prior to age 18; exceptions that are increasingly unjustifiable in today's economic climate. We are concerned, however, that the bill also removes reporting requirements that may be necessary for enforcing sanctions against under-aged dropouts, including limits on the issuance of a driver's license or a work permit.

Contact: Derek Redelman (317) 264-6880

HB 1526 Alteration and Formation of Townships (Stevenson)

Allows a township that is not located: (1) in Marion County; and (2) within a municipality; to become part of a contiguous township in the county if the transfer is approved by a referendum in the township seeking transfer. Allows the entire territory of a municipality that is not located in Marion County to become part of a contiguous township in the county if the transfer is approved by a referendum in the municipality seeking transfer. Allows the entire territory of a municipality that is not located in Marion County to become a new township if the formation of the new township is approved by a referendum in the municipality seeking transfer. Repeals the provision imposing minimum size or valuation requirements on a newly created or altered township. **Chamber Position: SUPPORT IN PART Reason:** This bill allows for township mergers with a municipality or with a contiguous township if they are located in a municipality. This bill seeks to address a situation in northwest Indiana where township expenses are way out of line. The Chamber prefers more significant township reform, such as is in HB 1469 or HB 1376.

Contact: Mark Lawrance (317) 264-6893

HB 1527 Transfer of Township Territory (Stevenson)

Provides that the area included within the corporate boundaries of the town of Griffith is transferred on January 1, 2012, from

Calumet Township to St. John Township. Specifies that on January 1, 2012: (1) any real property of Calumet Township located within the corporate boundaries of the town of Griffith is transferred to and becomes the property of St. John Township; and (2) a proportionate share of the unencumbered balances of each fund of Calumet Township is transferred to St. John Township for deposit in the appropriate and corresponding fund of St. John Township. Provides that the taxpayers within the area transferred from Calumet Township to St. John Township remain liable for a proportionate share of the outstanding indebtedness, as of December 31, 2011, of Calumet Township. **Chamber Position: SUPPORT IN PART Reason:** See HB 1526. **Contact: Mark Lawrance (317) 264-6893**

HB 1530 Corrections and Sentencing (Foley) Requires the Department of Correction (DOC) to: (1) determine the average daily marginal cost of incarcerating an offender; (2) determine the average length of stay for a Class D felony offender in DOC; and (3) administer an incentive and disincentive program for counties to reduce the number of Class D felony offenders committed to DOC. Requires the Judicial Conference to adopt rules concerning swift and certain sanctions that a probation officer may use in supervising persons on probation. It requires the board of directors of the Judicial Conference of Indiana to adopt rules to establish standards of probation supervision provided by probation departments based on validated risk assessments of offenders. Requires DOC to: (1) supervise parolees who were sentenced by a court in Indiana for murder, a Class A felony, a sex offense, or incest; (2) assist all parolees sentenced by a court in Indiana; and (3) supervise and assist out-of-state parolees accepted under an interstate compact as required by the interstate compact. It provides that when a court imposes a sentence on a specified type of offender, the court shall suspend part of the sentence and require the offender to serve the suspended period on probation, in a community corrections program, or in a problem solving court program. ... **Chamber Position: SUPPORT Reason:** This bill encompasses the reform measures that better balance punishment with the crime and available resources, as recommended by a bipartisan commission. **Contact: Mark Lawrance (317) 264-6893**

HB 1534 Township Reorganization and Government Employees (Foley) Provides that an employee of a political subdivision is considered to have resigned from employment with the political subdivision if the employee assumes the elected executive office of the political subdivision or becomes an elected member of the political subdivision's legislative or fiscal body. Eliminates township boards in all counties other than Marion County effective January 1, 2015. It specifies that after December 31, 2014, in all counties other than Marion County: (1) the county fiscal body is the fiscal body and legislative body of the township; and (2) the county fiscal body shall exercise the legislative and fiscal powers assigned in the Indiana Code to township boards, including the authority to adopt the township's annual budget and to levy township property taxes for township

funds. The bill establishes a board of trustees (board) in each county, consisting of all township trustees in the county. It requires the board to prepare a county plan (plan) for providing township assistance in the county. The bill provides that the board annually reviews and updates the county's township assistance standards, subject to the approval of the county legislative body. It requires the plan and township assistance standards to be adopted by the county legislative body. After December 31, 2014: (1) the provision of township assistance is transferred to the county; (2) a uniform township assistance tax rate is applied throughout the county; and (3) each township trustee administers township assistance in the trustee's township, in accordance with the county plan and subject to the county board of trustees. ... **Chamber Position: SUPPORT Reason:** This bill has a lot of good local government reform measures. It eliminates the conflict of interest of an employee of a unit local government to also serve on the legislative or fiscal body of that unit of local government. Township boards are eliminated, but keeps the trustees (to primarily administer poor relief) and requires the creation of countywide poor relief and fire protection plans. It has the county executive assuming township weed control and cemetery maintenance duties. **Contact: Mark Lawrance (317) 264-6893**

HB 1563 Inheritance Tax and Estate Tax (VanNatter) Phases out the inheritance tax beginning July 1, 2013, by giving an increasing credit against the inheritance tax due. Provides that the inheritance tax does not apply to the transfer of property interests by a decedent whose death occurs after June 30, 2018. Phases out payments of the inheritance tax replacement amount to counties over a period between 2013 and 2018. Provides that the estate tax and generation skipping transfer tax do not apply after June 30, 2018. Makes technical corrections. **Chamber Position: SUPPORT Reason:** The inheritance tax encourages Indiana residents to move out of Indiana and relocate their assets, resulting in a negative economic impact. The tax also unfairly impedes and is detrimental to the ability of those that inherit small business entities to maintain and continue the business. **Contact: Bill Waltz (317) 264-6887**

HB 1573 County Government (Soliday) After December 31, 2012 the county board of commissioners is the county executive and the county council is the county legislative body. Specifies that, in counties other than Marion County, the budget estimates of each county officer, each court and all other county departments and agencies shall be submitted to the county executive. Provides that the county executive shall review the budget estimates and adopt a consolidated budget estimate for the county that includes budget estimates for all county officers, departments and agencies. Requires the county auditor to present the consolidated budget estimate for the county to the county fiscal body for adoption. **Chamber Position: SUPPORT Reason:** This bill changes the structure of county government so it more closely resembles that of municipal, state and federal government, to where the county council has both

fiscal and legislative powers. Presently, the county executives (commissioners) have both executive and legislative powers. The bill also has enhanced ethics standards.

Contact: Mark Lawrance (317) 264-6893

HB 1580 School Improvement Plan (Porter)
Requires an employees' association for a school administered by the Department of Correction, the School for the Blind and Visually Impaired or the School for the Deaf to demonstrate support for the professional development program that is part of the school improvement plan before the school improvement plan may be approved by the state board of education. **Chamber Position: OPPOSE Reason:** Labor union leaders should not have veto power over the development of a school's improvement plan.

Contact: Derek Redelman (317) 264-6880

HCR 7 Urging the U.S. Congress to Repeal the Affordable Care Act of 2010 (Frizzell)

Urges Congress to repeal the Affordable Care Act of 2010 (ACA). **Chamber Position: SUPPORT Reason:** The Indiana Chamber opposed and actively lobbied at the federal level against adoption of the Patient Protection and Affordable Care Act of 2010. This state-level resolution is consistent with that position.

Contact: Cam Carter (317) 264-6892

HCR 11 Petitioning USDOT to Hold Hearings to Place All of Indiana in Central Time Zone (Hinkle)

Petitions the U.S. Department of Transportation (USDOT) to hold hearings on the placement of the entire state of Indiana in the central time zone. **Chamber Position: OPPOSE Reason:** The Indiana Chamber opposes this unworkable legislation. Due to regional, cross-border economies (e.g., southeastern Indiana near Louisville and Cincinnati) it is absolutely impossible to have all of Indiana in the central time zone. Additionally, a process already exists for local jurisdictions to petition the USDOT with regard to time zone placement (and was followed after Indiana adopted daylight saving time in 2005).

Contact: Cam Carter (317) 264-6892

HJR 2 Election of County Auditor, Treasurer, Clerk and Recorder (Grubb)

Removes term limits for county offices of clerk, auditor, recorder and treasurer. **Chamber Position: OPPOSE Reason:** This bill seeks to change the constitutional term limits on these elected officials. The Chamber would like to have these offices not in the constitution so they can be changed by the Legislature as needed, as their functions have changed dramatically and present an opportunity for consolidation.

Contact: Mark Lawrance (317) 264-6893

Senate Bills

SB 1 Teacher Evaluations and Licensing (Kruse)

Establishes an annual staff performance evaluation that categorizes teachers as "highly effective," "effective," "improvement necessary" or "ineffective." Specifies that a teacher rated "ineffective" or "improvement necessary" may not receive a raise or increment for the following year. Eliminates the advisory board of the division of professional standards of the Department of Education. Provides that not more than 50% of the teachers in a charter school are not required to be licensed as teachers or be in the process of obtaining a license (unless the state Board of Education waives the limitation). Requires the Department of Education to revoke the license of a licensed school employee if the employee is convicted in another state or under federal statutes of an offense that is comparable to the felonies for which the employee's license would be revoked if committed in Indiana.

Chamber Position: SUPPORT Reason: See HB 1488.

Contact: Derek Redelman (317) 264-6880

SB 15 Low Carbon and Noncarbon Dioxide Emitting Plants (Boots)

Allows low carbon dioxide emitting or noncarbon dioxide emitting energy production or generating facilities and purchases of energy produced by such facilities to qualify for the financial incentives available for clean energy projects. Provides that a combined heat and power facility qualifies as a renewable energy resource for purposes of the statute that provides financial incentives for clean energy projects. Provides that an eligible business may recover qualified utility system expenses, which include specified preconstruction costs, associated with a: (1) new energy production or generating facility; or (2) low carbon dioxide emitting or noncarbon dioxide emitting energy production or generating facility. Changes the term "clean coal and energy projects" to "clean energy projects" to allow the term to include low carbon dioxide emitting or noncarbon dioxide emitting energy production or generating facilities. **Chamber Position: SUPPORT Reason:** Indiana has long had an adequate, reliable and cost-competitive supply of energy. The Chamber supports a diversified, cost-effective fuel mix including clean coal technologies, natural gas, domestic petroleum, nuclear and renewables. This bill promotes that philosophy.

Contact: Vince Griffin (317) 264-6881

SB 18 Handheld Communication Devices While Driving (Holdman)

Prohibits an individual who is at least 18 years of age and holds an operator's license (including a probationary license) from using a handheld personal communications device while operating a motor vehicle. Exempts the use of a handheld personal communications device in emergency situations. Makes conforming amendments. **Chamber Position: OPPOSE IN PART Reason:** The Indiana Chamber supports reasonable restrictions on texting while operating a moving

vehicle (see HB 1050), but cannot support a ban on the uses of telecommunications devices as enumerated in this bill. It is too broad and unworkable.

Contact: Cam Carter (317) 264-6892

SB 21 Notice of Appropriation and Revenue Measures (Walker)

Provides that committee hearings and floor votes on appropriations and revenue raising measures are subject to a waiting period of 72 hours after the bill or amendment is made available for public review. Applies to any state general fund appropriation of at least \$1,000,000 and to any revenue raising measure that would raise at least \$1,000,000 for the state general fund. Allows either house to waive the notice if a provision is added to the bill that states the notice requirement has been waived. **Chamber Position: SUPPORT Reason:** This bill would enhance the ability for taxpayers to evaluate proposed legislation prior to it being voted on by their representatives.

Contact: Bill Waltz (317) 264-6887

SB 23 Hoosier Commission for Communities for a Lifetime (Becker)

Creates the Hoosier Commission for Communities for a lifetime. Requires the commission to submit certain reports to the General Assembly. **Chamber Position: SUPPORT Reason:** This commission will examine important community and economic development issues that were brought up in the Indiana Chamber's recent Workforce Wise study.

Contact: Mark Lawrance (317) 264-6893

SB 26 Local Government Reorganization and Merger (Head)

Requires the Department of Local Government Finance to develop criteria for making a one-time adjustment to allow a political subdivision to retain a part of its levy and budget that would otherwise be reduced because of savings from a government reorganization or township merger. **Chamber Position: SUPPORT Reason:** This bill allows for local units of government to defray one-time transition costs from a possible merger that would come from the projected savings from the current levy. It enhances the potential for other local government mergers.

Contact: Mark Lawrance (317) 264-6893

SB 31 Local Option Taxes for Counties, Cities and Towns (Head)

Allows cities and towns, except Indianapolis, to adopt a municipal income tax on individuals who reside within the municipality, regardless of their place of employment. Provides that the maximum rate is 1%. Requires the revenue to be deposited in the municipality's general fund, and allows the municipality to use the revenue for any general fund purpose. Requires the tax to be re-adopted every four years using a ratification ordinance. Allows counties, cities and towns to adopt a local sales tax applicable to tangible personal property delivered (not by common carrier) within the geographic boundaries of the political subdivision. Requires

the tax to be re-adopted every four years using a ratification ordinance. Provides that the local option sales tax revenue may be used for any lawful purpose. Provides that the state Department of Revenue shall maintain several data bases of local sales tax data associated with the local option sales tax, in accordance with the requirements of the Streamlined Sales and Use Tax Agreement. ... **Chamber Position: OPPOSE Reason:** The Chamber opposes local option sales taxes because they create undesirable inconsistency in retail markets and could disrupt critical state sales tax revenues.

Contact: Bill Waltz (317) 264-6887

SB 32 Vote Centers (Lawson)

Establishes the use of vote centers as an option for all counties. **Chamber Position: SUPPORT Reason:** Vote centers have been tested in several Indiana counties for several years with great success. They enhance convenience for voters and reduce the cost of elections.

Contact: Mark Lawrance (317) 264-6893

SB 43 GPS Monitoring and Parole (Steele)

Specifies that the parole board shall, upon recommendation of the director of parole services based upon a validated recidivism risk assessment, require that certain persons convicted of child molesting be required to wear a GPS tracking device; and permits the parole board to require other sex and violent offenders be required to wear a GPS tracking device if this is recommended by the director of parole services based upon a validated recidivism risk assessment. **Chamber Position: SUPPORT Reason:** This bill allows for better use of limited resources for incarceration through GPS technology and puts the punishment more in line with the crime based on the risk assessment.

Contact: Mark Lawrance (317) 264-6893

SB 44 Homestead Assessed Value Growth Cap (Steele)

Homestead assessed value growth cap. Limits the annual increase in assessed value of a homestead to 2% unless: (1) ownership of the homestead changes during the year; or (2) the increase results from physical changes to the homestead. **Chamber Position: OPPOSE Reason:** Some level of limitation on the annual growth of assessments may be reasonable, but it should be applied uniformly to all taxpayers. The most equitable means of establishing assessments is for them to be based on market values. Artificial restrictions, applicable to only certain types of property, and set at levels below actual value increases undermines this system and treats those with stagnant or declining values unfairly.

Contact: Bill Waltz (317) 264-6887

SB 45 Coverage for Smoking Cessation Drugs (Lanane)

Requires a state employee health benefit plan, a policy of accident and sickness insurance and a health maintenance organization contract that provides coverage for prescription drugs to provide coverage for smoking cessation drugs.

Chamber Position: OPPOSE Reason: Some self-

employed plans offer smoking cessation drugs for their employees as a benefit. The Chamber opposes mandates to fully insured plans. Mandates drive up the cost of health insurance to small group employers.

Contact: Mike Ripley (317) 264-6883

SB 46 Identification for Alcohol Purchases (Alting)

Makes it a Class B misdemeanor for an alcoholic beverage permittee or an employee or agent of the permittee to recklessly, knowingly or intentionally sell, barter, exchange, provide or furnish another person who is or reasonably appears to be less than 40 years of age an alcoholic beverage for consumption off the licensed premises without first requiring the person to produce specified identification showing that the person is at least 21 years of age. (Current law makes it a Class B misdemeanor for an alcoholic beverage permittee or an employee or agent of the permittee to recklessly, knowingly or intentionally sell, barter, exchange, provide or furnish another person an alcoholic beverage for consumption off the licensed premises without first requiring the person to produce specified identification showing that the person is at least 21 years of age.) **Chamber Position:**

SUPPORT Reason: See HB 1088.

Contact: Cam Carter (317) 264-6892

SB 47 Various Riverboat Matters (Hershman)

Permits a licensed owner to convert a riverboat into a permanently moored vessel without propulsion or navigation equipment. Provides for submission of plans and commission approval of the construction of a permanently moored vessel to replace a licensed owner's self-propelled excursion boat. Provides that a licensed owner converting a self-propelled excursion boat into a permanently moored vessel is not required to substantially alter the marine structural and life safety systems of the excursion boat if the excursion boat was in service before January 1, 2010. Removes obsolete provisions concerning the original riverboat licensing process. Authorizes a licensed owner or an operating agent to conduct card tournaments in a hotel or other facility owned or leased by the licensed owner or operating agent. Allows a riverboat or a racetrack casino to receive compensation for advertising alcoholic beverages by brand name. Eliminates certain restrictions under which the holder of a gaming permit may pay for complimentary drinks at certain events. Specifies that servers employed by a lessee or caterer providing food and beverage service at a gaming facility do not have to be employed by the gaming entity. **Chamber Position:**

SUPPORT IN PART Reason: There is no point in requiring these businesses to comply with expensive regulations related to excursion boats when they are permanently moored. The state has become dependent on revenues from these operations and they should not be unduly hampered.

Contact: Bill Waltz (317) 264-6887

SB 51 Identification Requirements for Alcohol Purchases (Leising)

Repeals a provision that makes it a Class B misdemeanor for an alcoholic beverage permittee or the permittee's employee or agent to recklessly, knowingly or intentionally sell, barter, exchange, provide or furnish another person an alcoholic beverage for consumption off the licensed premises without first requiring the person to produce proof that the person is 21 years of age by: (1) a driver's license; (2) a government issued identification card; or (3) a government issued document; that bears the person's photograph and birth date. **Chamber Position:**

SUPPORT Reason: See HB 1088.

Contact: Cam Carter (317) 264-6892

SB 54 Local Regulation of Video Service Franchises (Holdman)

Provides that a local unit of government may not: (1) regulate a holder of a certificate to provide, or a provider of, video service in Indiana; and (2) establish or fund an entity to regulate a holder or provider. **Chamber Position:**

SUPPORT Reason: See HB 1131.

Contact: Cam Carter (317) 264-6892

SB 61 School Board Elections (Lawson)

School board members selected by election must be elected at general elections beginning in 2012. Repeals provisions related to the election of school board members at the primary election. **Chamber Position:**

SUPPORT Reason: See HB 1074.

Contact: Derek Redelman (317) 264-6880

SB 63 Suspension of Local Office Holders From Office (Gard)

Allows a local elected officeholder to be suspended from office if the officeholder is charged with certain felonies or misdemeanors and a two-thirds majority of the legislative body finds that the offense with which the local elected official is charged is relevant to the official's suitability for office and it is in the best interests of the unit that the official be suspended from office. **Chamber Position:**

SUPPORT Reason: See HB 1263.

Contact: Mark Lawrance (317) 264-6893

SB 64 Government Reorganization (Gard)

If the territories of a reorganizing city or town and a reorganizing township overlap, the vote of the voters in the city or town shall be included only in the reorganizing city or town in which the voters reside. **Chamber Position:**

SUPPORT Reason: For a reorganization vote, it makes sense for the voters who live in the city to count in the city, not the township.

Contact: Mark Lawrance (317) 264-6893

SB 65 Out-of-network Health Provider Payments (Gard)

Specifies requirements concerning health benefit payments to providers that have not entered into payment agreements with health carriers. **Chamber Position:**

OPPOSE Reason: This

“assignment of benefits” bill requires insurers to directly pay/reimburse out-of-network health care providers that opt not to enter into a reimbursement agreement with that insurer at the insureds request. The bill also permits providers to balance bill the patient for any amount not paid by the insurer. Networks are created in order to ensure that the best possible rates are negotiated for reimbursement for medical services. In return, networks guarantee a high volume of patients for providers. The utilization of a network is a fundamental managed care principle that has been proven to help keep costs down. If an out-of-network provider can receive direct payment from the insurer and balance bill the patient for the remainder of a non-discounted bill, then there is less incentive to be a part of the network. As a result, the insurer’s ability to create/maintain a health care provider network and negotiate the best possible reimbursement rates will be severely impeded. When reimbursement rates increase to maintain the network so do the costs of health insurance premiums – resulting in increased benefit costs for employers and employees.

Contact: Mike Ripley (317) 264-6883

SB 66 Amend Definition of Renewable Energy Resources (Gard)

Amends the definition of “renewable energy resources” to add low temperature, oxygen starved gasification of municipal solid waste. **Chamber Position: SUPPORT Reason:** See HB 1509.

Contact: Vince Griffin (317) 264-6881

SB 71 Coal Bed Methane and Other Oil and Gas Issues (Gard)

Requires the Natural Resources Commission to regulate various aspects of coal bed methane wells and other oil and gas issues. Provides for regulation of coal bed methane wells and other gas wells in a similar manner. Terminates the restriction on the extraction of coal bed methane from a well for oil and gas purposes and requires proper notices and permit criteria. **Chamber Position: SUPPORT Reason:** The Chamber supports the use of coal bed methane as a viable source of energy so long as its extraction is done in a safe and environmentally responsible manner.

Contact: Vince Griffin (317) 264-6881

SB 72 Carbon Dioxide Pipelines and Eminent Domain (Gard)

Establishes procedures for the issuance by the Department of Natural Resources of a carbon dioxide transmission pipeline certificate of authority that allows construction, operation and maintenance of a pipeline and the use of eminent domain for those purposes. Establishes the carbon dioxide transmission pipeline authorization fund. **Chamber Position: SUPPORT Reason:** The regulation and control of carbon dioxide may become a major issue for Indiana as our state consumes over 70 million tons of coal a year in the production of energy. The delineation of respective duties and responsibilities prior to need is prudent. Any eminent domain action related to a carbon dioxide pipeline should follow existing eminent domain

procedures to provide all parties adequate protection. SB 72 restricts the use of the eminent domain provision to this activity. **Contact: Vince Griffin (317) 264-6881**

SB 78 Identification Requirements for Alcohol Purchases (Merritt)

Makes it a Class B misdemeanor for an alcoholic beverage permittee or an employee or agent of the permittee to recklessly, knowingly or intentionally sell, barter, exchange, provide or furnish another person who is or reasonably appears to be less than 40 years of age an alcoholic beverage for consumption off the licensed premises without first requiring the person to produce specified identification showing that the person is at least 21 years of age. (Current law makes it a Class B misdemeanor for an alcoholic beverage permittee or an employee or agent of the permittee to recklessly, knowingly, or intentionally sell, barter, exchange, provide or furnish another person an alcoholic beverage for consumption off the licensed premises without first requiring the person to produce specified identification showing that the person is at least 21 years of age.) **Chamber Position: SUPPORT Reason:** See HB 1088.

Contact: Cam Carter (317) 264-6892

SB 86 Unemployment Benefits Qualifications (Leising)

Requires that an applicant for unemployment benefits must state under penalty of perjury that the applicant will refrain from the knowing or intentional possession and use of a controlled substance or a controlled substance analog without a valid prescription or an order from a health practitioner during the period that the applicant receives benefits if benefits are awarded. **Chamber Position: SUPPORT Reason:** See HB 1207.

Contact: George Raymond (317) 264-6884

SB 87 Contracts for Dental Services (Leising)

Prohibits dental insurers and health maintenance organizations from requiring dentists to accept certain payments. **Chamber Position: OPPOSE Reason:** Insurers setting reimbursement rates on non-covered dental services save money for the individual on their out-of-pocket expenses. Some employers request this cost saving as a benefit for employees.

Contact: Mike Ripley (317) 264-6883

SB 91 Henry and Madison Counties Unified Circuit Courts (Bray)

Establishes: (1) a unified circuit court for Henry County by combining the current judge of the Henry circuit court and the two judges of the Henry superior court into a unified circuit court with three judges; and (2) a unified circuit court for Madison County by combining the current judge of the Madison circuit court and the five judges of the Madison superior court into a unified circuit court with six judges. **Chamber Position: SUPPORT Reason:** This is a good model for a unified court system for both of these counties which may be applicable to other county court systems.

Contact: Mark Lawrance (317) 264-6893

SB 92 Use of Telecommunications Device While Driving (Holdman)

Provides that it is a Class C infraction if a person uses a telecommunications device to transmit a text message or electronic mail message while operating a moving motor vehicle. Repeals the current definition of “telecommunications device.” **Chamber Position: SUPPORT IN PART**

Reason: See HB 1050.

Contact: Cam Carter (317) 264-6892

SB 97 Funding of Lawsuits (Head)

Establishes a procedure by which a company may provide a loan to the plaintiff in an action in exchange for the contingent right to receive a part of the potential proceeds of the action. **Chamber Position: OPPOSE Reason:** Our court system already faces a backlog of cases. This will only add to that backlog by encouraging people with doubtful claims to file a lawsuit. Also, a plaintiff who has received an upfront payment may be more reluctant to settle a case on a reasonable basis. Finally, a plaintiff, in addition to paying an attorney on a contingent fee basis, will see more of his award go to the funding company.

Contact: George Raymond (317) 264-6884

SB 100 Actions Based on Exposure to Hazardous Substances (Lanane)

Provides a statute of limitations for causes of action for occupational disease, deficiencies in the design, planning, supervision, construction or observation of construction of an improvement to real property, and product liability when the cause of action is based on an exposure to a hazardous substance. Provides for a one-year period, ending July 1, 2012, to file an otherwise time-barred cause of action based upon an exposure to a hazardous substance. **Chamber Position: OPPOSE Reason:** This bill would repeal Indiana’s statutes of limitation and repose concerning asbestos-related injuries and would greatly increase the number of people who might be liable for exposure to commercial asbestos.

Contact: George Raymond (317) 264-6884

SB 105 Adjustments of Debt of a Political Subdivision (Charbonneau)

Provides that a political subdivision or certain of its creditors may file a petition with the distressed unit appeal board seeking designation of the political subdivision as a distressed political subdivision, based on any one of several failures by the political subdivision to meet its financial obligations. Provides that if the board designates a political subdivision as a distressed political subdivision, the board shall appoint an emergency manager for the distressed political subdivision. Provides that an emergency manager of a distressed political subdivision has broad powers to effect the financial rehabilitation of the distressed political subdivision. Provides that the board may authorize a distressed political subdivision to file a petition for bankruptcy under the United States Bankruptcy Code. ... **Chamber Position: SUPPORT IN PART Reason:** If a political subdivision overextends itself

with obligations it simply cannot afford given its tax base, there needs to be a mechanism in place to remedy the situation. The Chamber supports the objective of this bill to provide a means for a distressed political subdivision to regain financial stability. However, the authority of an “emergency manager” must be carefully structured and not so broad as to cause undue concerns within the municipal bond markets.

Contact: Bill Waltz (317) 264-6887

SB 106 Computer Facility Property Tax Exemption (Charbonneau)

Provides that a taxpayer qualifies for the property tax exemption for a data warehouse if the taxpayer is either a lessor or lessee and the lessor and all lessees together invest at least \$10,000,000 at the facility or data center. Provides that the exemption applies to the originally purchased enterprise information technology equipment and all additions to and replacements of the equipment. **Chamber Position: SUPPORT Reason:** The Indiana Chamber supports exempting business enterprise equipment from the personal property tax. This bill improves upon previously enacted legislation and will make Indiana more competitive in the pursuit of high-tech, high-wage data centers, thus adding to our economic activity and, ultimately, tax base.

Contact: Cam Carter (317) 264-6892

SB 108 Sales of Motorcycles on Sunday (Charbonneau)

Permits the purchase, sale or trade of motorcycles on Sunday. (Current law provides that a person who buys, sells or trades motor vehicles, including motorcycles, on Sunday commits a Class B misdemeanor.) **Chamber Position: SUPPORT Reason:** The Indiana Chamber supports the sale of motorcycles and automobiles on Sundays. The current restriction (with criminal penalties) is antiquated and has no rational basis.

Contact: Cam Carter (317) 264-6892

SB 113 Confined Feeding Operation Approvals (Paul)

Establishes a three-year moratorium on: (1) the start of construction of confined feeding operations; and (2) the expansion of confined feeding operations that increase animal capacity or manure containment capacity, or both. **Chamber Position: OPPOSE Reason:** The state has adequate rules to regulate the operation of confined feeding operations in a manner to protect the public health and environment. A moratorium is inappropriate.

Contact: Vince Griffin (317) 264-6881

SB 118 Ordinances Regulating Fertilizers (Kruse)

Allows a political subdivision to adopt an ordinance to regulate the use of fertilizer material that contains phosphate. **Chamber Position: OPPOSE Reason:** The various businesses that are involved in the sale, use and application of fertilizers are on a clear path to adequately control the use of

phosphates. A patchwork of local control ordinances would be counterproductive and unnecessary.

Contact: Vince Griffin (317) 264-6881

SB 125 Public Records and Public Meetings (Holdman)

Provides that an officer or management-level employee of a public agency who knowingly or intentionally: (1) violates the open door law; or (2) denies or interferes with a person's request for inspection or copying of a public record or charges a copying fee that exceeds the amount permitted by law; commits a Class C infraction and is personally liable for the judgment and costs.

Chamber Position: SUPPORT Reason: This bill encourages transparency and accountability with public officials.

Contact: Mark Lawrance (317) 264-6893

SB 133 Identification Requirements for Alcohol Purchases (Randolph)

Repeals a provision that makes it a Class B misdemeanor for an alcoholic beverage permittee or the permittee's employee or agent to recklessly knowingly or intentionally sell, barter, exchange, provide or furnish another person an alcoholic beverage for consumption off the licensed premises without first requiring the person to produce proof that the person is at least 21 years of age consisting of: (1) a driver's license; (2) a government issued identification card; or (3) a government issued document; that bears the person's photograph and birth date.

Chamber Position: SUPPORT Reason: See HB 1088.

Contact: Cam Carter (317) 264-6892

SB 135 Maximum Property Tax Levies in Lake County (Randolph)

Eliminates the law that freezes the maximum property tax levies for civil taxing units in Lake County unless a local option income tax for property tax relief is in effect in the county.

Chamber Position: OPPOSE Reason: See HB 1516.

Contact: Bill Waltz (317) 264-6887

SB 137 Maximum Property Tax Levies in Lake County (Randolph)

Phases out (over two years) the law that currently freezes the maximum property tax levies for civil taxing units in Lake County unless a local option income tax for property tax relief equal to 1% is in effect in the county.

Chamber Position: OPPOSE Reason: See HB 1516.

Contact: Bill Waltz (317) 264-6887

SB 141 Texting While Driving (Randolph)

Makes it a Class C infraction for a person to use a telecommunications device to transmit a text message or an electronic mail message while operating a moving motor vehicle. Defines "telecommunications device" as an electronic or a digital telecommunications device, including a wireless telephone, personal digital assistant, pager or text messaging device. Repeals the current definition of "telecommunications device."

Chamber Position: SUPPORT IN PART Reason: See HB 1050.

Contact: Cam Carter (317) 264-6892

SB 145 Sunday Sales of Motor Vehicles (Boots)

Repeals a provision that makes it a Class B misdemeanor for a person to engage in the business of buying, selling or trading motor vehicles on Sunday.

Chamber Position: SUPPORT Reason: See SB 108.

Contact: Cam Carter (317) 264-6892

SB 148 Inheritance and Estate Tax (Banks)

Inheritance tax and estate tax. Phases out the inheritance tax beginning July 1, 2013, by giving an increasing credit against the inheritance tax due. Provides that the inheritance tax does not apply to the transfer of property interests by a decedent whose death occurs after June 30, 2018. Phases out payments of the inheritance tax replacement amount to counties over a period between 2013 and 2018. Provides that the estate tax and generation skipping transfer tax do not apply after June 30, 2018. Makes technical corrections.

Chamber Position: SUPPORT Reason: See HB 1563.

Contact: Bill Waltz (317) 264-6887

SB 159 Air Pollution Tailoring Rules (Gard)

Creates conditions that would direct the state to repeal a rule if the federal law, regulation or rule on which the proposed rule is based is repealed, is invalidated by judicial, legislative or regulatory action, or has its enforcement stayed.

Chamber Position: SUPPORT Reason: The Chamber supports the repeal of any rule for which the federal directive no longer exists. Such a rule should not be enforced and the state should repeal the rule as soon as possible.

Contact: Vince Griffin (317) 264-6881

SB 160 Employer Purchased Insurance (Mrvan)

Requires an employee's written consent to an employer's purchase of life or disability insurance covering the employee. Limits the amount payable under the life or disability insurance to the amount of the employee's annual salary.

Chamber Position: OPPOSE Reason: The bill limits an employer to a life or disability beneficiary amount equal to an employee's annual salary. The financial worth of an employee to an employer may be greater than the employee's annual salary and therefore should not be limited.

Contact: Mike Ripley (317) 264-6883

SB 162 Enforcement of Wage Requirements (Mrvan)

Increases the penalties imposed on an employer whose violation of the state common construction wage law or minimum wage law involves an employee who is an illegal alien.

Chamber Position: OPPOSE Reason: Immigration is a federal issue and there are already laws and regulations in place at the federal level that substantially cover these circumstances.

Contact: George Raymond (317) 264-6884

SB 165 Economic Development Incentive Accountability (Mrvan)

Adds various job and employee definitions to the Indiana Economic Development Corporation (IEDC) laws. Requires all records related to taxpayer funded economic development incentives to be disclosed under the open records law. Requires the IEDC's annual job creation incentives and compliance report to be published on the Indiana transparency portal Internet web site. Requires the IEDC and the Department of Revenue to compile information on all job creation incentives granted, including the aggregate amount of uncollected or diverted state tax revenues resulting from each incentive, and requires this information to be included as part of the IEDC's annual job creation incentives and compliance report. Requires the IEDC to recapture incentives from a recipient failing to make the level of capital investment, failing to create or retain the promised number of jobs or paying less in wages than specified in the agreement.

... **Chamber Position: OPPOSE Reason:** The Indiana Chamber supports the examination of economic development incentives to ensure their effectiveness and proper use. However, the Chamber opposes and finds counter-productive any further "clawback" provisions in statute for economic development incentives; such provisions handicap Indiana in the site selection process and the competition for new jobs and investment. Current IEDC administrative procedures seem adequate to ensure proper use of and accountability for incentives.

Contact: Cam Carter (317) 264-6892

SB 166 Local Government Employment (Lawson)

Prohibits an employee of a political subdivision from employment with the political subdivision if the employee assumes the elected executive office of the political subdivision or becomes an elected member of the political subdivision's legislative or fiscal body. Specifies that the restriction applies to an employee of a political subdivision who assumes an elected office after June 30, 2011, but provides that the restriction does not apply to an employee of a political subdivision who holds elective office on June 30, 2011, as long as the individual continues to hold or be reelected to that office. **Chamber Position: SUPPORT IN PART Reason:** This bill is good, but does not go far enough to eliminate the "conflict of interest" for all elected officials who work for that unit of local government by including the exemption for current elected officials.

Contact: Mark Lawrance (317) 264-6893

SB 167 Nepotism/Public Employees Holding Elected Office (Lawson)

An employee of a political subdivision is considered to have resigned from employment with the political subdivision if the employee assumes the elected executive office of the political subdivision or becomes an elected member of the political subdivision's legislative or fiscal body (if elected after June 30, 2011). The restriction does not apply to an employee of a political subdivision who holds elective office on June 30, 2011, as long as the individual continues to hold or be reelected to that office. Prohibits a relative of an officer or employee of a

political subdivision from being employed by the political subdivision in a position that would put the relative in a direct supervisory or subordinate relationship with the officer or employee. Specifies that an employee of a political subdivision is not required by these provisions to be terminated or reassigned from any position held by that individual before July 1, 2011, but provides that this grandfathering provision expires January 1, 2015. **Chamber Position: SUPPORT IN PART Reason:** See SB 166 for position on "conflict of interest" aspect. The nepotism clause of this bill has the correct concept of stating elected officials who presently serve in local government and are employed by that unit of local government can no longer do both after January 1, 2015.

Contact: Mark Lawrance (317) 264-6893

SB 171 School Start Date and Calendar (Schneider)

Prohibits public schools and accredited nonpublic schools from beginning student instructional days for the school year before the Tuesday after the first Monday in September (Labor Day) and from ending after June 10 of the following year, beginning with the 2013-2014 school year. Provides that a governing body may establish a beginning date before Labor Day or an end date for a school year that is later than June 10 for year-round schools, schools with balanced calendars and schools that coordinate calendars with a postsecondary educational institution following public hearings and a majority vote of the governing body. Provides that a governing body may establish an end date for a school year that is later than June 10 for any school following public hearings and a majority vote of the governing body. Makes the change effective for collective bargaining agreements and contracts negotiated after June 30, 2013. **Chamber Position: OPPOSE IN PART Reason:** The Indiana Chamber does not have a position on school start dates; however, we become very concerned when such proposals include provisions that would shorten or limit the length of the school year, as would occur with the mandatory end date in the introduced version of this bill.

Contact: Derek Redelman (317) 264-6880

SB 177 Unused Medication (Miller)

Allows a county jail or a Department of Correction facility to return unused medication to the pharmacy that dispensed it. **Chamber Position: SUPPORT Reason:** A health facility is currently allowed this practice under statute. The Chamber supports measures that reduce local government costs. This may allow counties that currently do not dispense medications in blister packs to reduce costs of medications if they would dispense them in that manner and return unused portions to the dispensing pharmacy.

Contact: Mike Ripley (317) 264-6883

SB 178 Outpatient Treatment Requirements (Miller)

Prohibits an insurer or a health maintenance organization from requesting substitution of a treatment or limiting the supply of certain drugs. Makes a violation an unfair and deceptive act in the business of insurance. **Chamber Position: OPPOSE Reason:** This bill does not allow an insurer or pharmacy

benefit manager to request a substitution, contact an insurer for a substitution or limit the supply of a drug to less than 90 days. It ties the hands of insurers from reducing prescription drug costs. Employers rely on the insurer to be able to manage costs of health insurance policies.

Contact: Mike Ripley (317) 264-6883

SB 196 Head Start Employment and Unemployment Benefits (Boots)

Provides that unemployment benefits may not be paid to an individual employed by a Head Start or an Early Head Start program for a week during a period between two successive academic years or terms if the individual performs the employment in the first academic year or term and there is a reasonable assurance that the individual will be employed in the second academic year or term. **Chamber Position: SUPPORT Reason:** Currently Indiana has borrowed around \$1.9 billion from the federal government in order to pay unemployment claims. The original intent of the unemployment system was to provide a safety net for people who had lost their job through no fault of their own and who did not have a reasonable expectation of employment. It was not the intent of the system to pay people who may be unemployed for a short period of time but who have a reasonable expectation of employment.

Contact: George Raymond (317) 264-6884

SB 197 Alcoholic Beverage Matters (Boots)

Creates a supplemental dealer's permit and a cold beer dealer's permit. Provides that a supplemental dealer's permit may be issued only to a holder of a beer, wine or liquor dealer's permit. Allows the holder of a supplemental dealer's permit to sell alcoholic beverages for carryout on Sunday. Allows the holder of a cold beer dealer's permit to sell cold beer. Establishes fees for a supplemental dealer's permits and a cold beer dealer's permits. Requires the fees to be deposited in the enforcement and administration fund of the alcohol and tobacco commission. Allows the: (1) holder of a package liquor store permit, farm winery or a microbrewery permit to sell carryout alcoholic beverages on Sunday without a supplemental dealer's permit; and (2) holder of a package liquor store permit to sell cold beer without a cold beer dealer's permit. Allows a minor to be on the licensed premises of a package liquor store if the minor is accompanied by the minor's parent or guardian who is at least 21 years of age. Eliminates residency requirements for alcoholic beverage dealers. Repeals a provision that limits the commodities that a package liquor store may sell. **Chamber Position: SUPPORT Reason:** The Indiana Chamber supports the sale by retailers of alcoholic beverages – including cold beer – on Sundays. Present law restricting such sales is antiquated and produces perverse consumption incentives. Much of the regulation on alcoholic beverage sales is overly burdensome and has no rational basis. New state tax revenues will also likely be realized.

Contact: Cam Carter (317) 264-6892

SB 200 Environmental General Permits (Gard)

Allows the Indiana Department of Environmental Management (IDEM) to develop and issue NPDES general permits under federal law. Establishes transitional provisions for current NPDES general permits authorized by rule. Requires IDEM to conduct an antidegradation review of all NPDES general permits. Provides that after an antidegradation review of a permit is conducted, activities covered by an NPDES general permit are not required to undergo an additional antidegradation review. Creates general permit requirements and provisions specific to coal mines. **Chamber Position: SUPPORT Reason:** This bill is to satisfy a concern of the Environmental Protection Agency to not have the Water Board issue permits but to move that responsibility to IDEM. The Chamber supports the timely and fair issuance of permits that SB 200 will promote.

Contact: Vince Griffin (317) 264-6881

SB 202 Environmental Approvals and Other Issues (Gard)

Creates procedures for the construction and handling of manure facilities, energy production facilities and requires the state chemist to adopt rules concerning the staging and use of organic fertilizer material. Establishes provisions for fertilizer materials.

Chamber Position: SUPPORT Reason: The Chamber supports the use of by-product material from agricultural operations that may have beneficial application so long as it is handled and applied in a manner that protects the public health and environment. The Chamber supports the production of energy realized by the processing of agricultural products. Additionally the proper handling of fertilizer products that do not violate water quality standards is supported.

Contact: Vince Griffin (317) 264-6881

SB 204 Environmental Crimes (Gard)

Makes it a Class C misdemeanor for a regulated person to knowingly violate certain rules of the air pollution control board or to fail to keep or maintain certain records required by the federal Clean Air Act. Makes it a Class C misdemeanor for a regulated person to knowingly violate certain rules of the water pollution control board or to negligently violate certain permit conditions or permit filing requirements.

Chamber Position: OPPOSE Reason: All Indiana business should comply with all environmental laws and rules. The Chamber does not support the change from “reckless” to “negligent” as this is a significant and unwarranted change.

Contact: Vince Griffin (317) 264-6881

SB 222 Transportation and Logistics Income Tax Credit (Wyss)

Provides an income tax credit for expenditures made by a taxpayer for one or more of the following purposes: (1) Implementing homeland security measures to comply with federal homeland security requirements, as certified by the Department of Homeland Security; (2) Making improvements to real property located in Indiana that are related to constructing a new or modernizing an existing transportation or logistical distribution facility; (3) Improving the transportation of goods by highway, rail, water or air; or (4) Making warehouse upgrades or

improving logistical distribution. Requires the Department of Homeland Security, in consultation with the state's Department of Revenue, to adopt rules to implement a certification process for homeland security expenditures. Provides that the credit is 50% of the expenditures made by the taxpayer during the taxable year. Limits the credit that may be claimed for a taxable year to the taxpayer's state tax liability for that taxable year. Allows the taxpayer to carryover any unused credit for nine years. Provides that the credit may not be refunded, carried back or transferred to another taxpayer. **Chamber Position: SUPPORT Reason:** The Indiana Chamber supports reasonable incentives for businesses to make capital investments and create new jobs in Indiana. This bill is a comprehensive effort to support the increasingly sophisticated, high-wage logistics sector and enhance Indiana's competitive position vs. other Midwestern states. Our competitors offer similar incentives to those enumerated in this legislation; Indiana needs to remain competitive.
Contact: Cam Carter (317) 264-6892

SB 224 Physical Therapists (Miller)
Allows a physical therapist to evaluate a patient without a referral, but requires the physical therapist to contact the patient's appropriate provider and obtain a referral before providing treatment. Allows a physical therapist to provide treatment to a patient who was previously referred to the physical therapist for the same condition if: (1) the referral was given not more than three months before the request for the later treatment; and (2) the physical therapist consults with the referring provider within three days. Requires a physical therapist to have additional specified education in order to perform a spinal manipulation. Prohibits a physical therapist from performing sharp debridement unless acting on the order of a physician or podiatrist. **Chamber Position: SUPPORT IN PART Reason:** The Chamber does not support direct access for physical therapists. (See comments on HB 1202.) However, this bill may be a compromise by allowing physical therapists some latitude which may increase access and, at the same time, keep some physician oversight in the process.
Contact: Mike Ripley (317) 264-6883

SB 233 Homestead Assessed Value Growth Cap (Zakas)
Limits the annual increase in assessed value of a homestead to 5% unless: (1) ownership of the homestead changes during the year; or (2) the increase results from physical changes to the homestead. **Chamber Position: OPPOSE Reason:** Limitation on the annual growth of an assessment may be reasonable, but it should be applied uniformly to all taxpayers.
Contact: Bill Waltz (317) 264-6887

SB 234 Homestead Property Tax Bill Cap (Zakas)
Provides a tax credit for homestead property that limits property tax increases to 5% per year (excluding the part of an increase attributable to an improvement or expansion of the homestead property). **Chamber Position: OPPOSE Reason:** See SB 233.
Contact: Bill Waltz (317) 264-6887

SB 243 Common Construction Wage on School Projects (Kruse)

This bill, from July 1, 2011, to June 30, 2015, exempts contractors awarded construction contracts by school corporations from the requirement of paying laborers at least the common construction wage. **Chamber Position: SUPPORT Reason:** The common construction wage law is an archaic relic from The Depression era and should be repealed. This legislation will allow school corporations to enter into construction contracts without being shackled by the constraints of the common construction wage requirement. By doing so, school corporations should realize significant cost savings which translate into savings for taxpayers.
Contact: George Raymond (317) 264-6884

SB 294 Probationary Teacher Contracts (Holdman)

Requires the state superintendent of public instruction to develop a form for a probationary teacher's contract. Provides that a school corporation may hire a teacher who has not previously taught for the school corporation on a probationary contract. Specifies the term of a probationary contract is 60 days and requires an evaluation of the probationary teacher by the principal after 30 days, with a written report of the evaluation provided to the superintendent and the probationary teacher. Requires the superintendent to give notice, after the evaluation, to the probationary teacher of the possible termination of the probationary teacher's contract, if necessary. Provides that after 60 days, the school corporation may terminate the probationary teacher's employment or enter into a regular teacher's contract with the probationary teacher. Provides that a probationary teacher whose contract is terminated is not entitled to the due process of a permanent or semi-permanent teacher. **Chamber Position: SUPPORT Reason:** Provides additional flexibility to schools in the hiring of new teachers. Establishes a 60-day probationary period that is typical of hiring practices in many other fields and industries.
Contact: Derek Redelman (317) 264-6880

SB 299 Library Boards (Leising)

Requires the budget of a public library district, other than a library district in Marion County, to be approved by the appropriate municipal or county fiscal body. **Chamber Position: SUPPORT Reason:** This gives the county council more oversight of the budgets for other units within that county and allows for better fiscal management for the county.
Contact: Mark Lawrance (317) 264-6893

SB 302 Nepotism/Public Employee Holding Elected Office (Lawson)

An employee of a political subdivision is considered to have resigned from employment with the political subdivision if the employee assumes the elected executive office of the political subdivision or becomes an elected member of the political subdivision's legislative or fiscal body. Specifies that the restriction applies to an employee of a political subdivision who assumes an elected office after June 30, 2011, but provides that

the restriction does not apply to an employee of a political subdivision who holds elective office on June 30, 2011, as long as the individual continues to hold or be reelected to that office. Prohibits a relative of an executive of a political subdivision from being employed by the political subdivision. Specifies that an employee of a political subdivision is not required by these provisions to be terminated or reassigned from any position held by that individual before July 1, 2011, but provides that this grandfathering provision expires January 1, 2015. **Chamber Position: SUPPORT IN PART Reason:** See SB 167.
Contact: Mark Lawrance (317) 264-6893

SB 303 County Government Reorganization (Lawson)

The county executive may adopt an ordinance providing that the voters of the county shall elect a single county chief executive officer to serve as the county executive and a county council that has the legislative and fiscal powers and duties of the county. Provides that such an ordinance to change the structure of county government may be adopted only during an odd-numbered year or before July 1 of an even-numbered year. Specifies that an ordinance providing for a single elected county executive officer must be approved by a unanimous vote of all the elected members of the county executive. Provides that in a county that has a chief executive officer, the number of registered voters equal to 2% of the votes cast in the last election for secretary of state in the county may petition the county council to adopt an ordinance requiring the election of a board of commissioners (instead of a single county chief executive officer) to serve as the: (1) county executive if the county is Lake or St. Joseph; or (2) the county executive and legislative body in any other county (except Marion County). **Chamber Position: SUPPORT IN PART Reason:** This bill allows for the possibility for the three county executives to unanimously vote for a voter referendum to go to a single county executive and to transfer the legislative powers of the county executives to the county council. The Chamber supports the concept of this option but believes that it should not have to be a unanimous vote of the commissioners to initiate the voter referendum.
Contact: Mark Lawrance (317) 264-6893

SB 307 Public Safety Funding (Buck)

Public safety funding. Allows a county, municipality, township or fire protection district to impose a public safety user fee to replace property taxes imposed by the entity. Specifies the purposes for which the public safety user fee may be used. Provides that a public safety user fee may be imposed on the owner of each lot, parcel of property or building or other real property improvement, regardless of whether the property is exempt from ad valorem property taxes. Specifies that the public safety user fees imposed for a calendar year by an entity are considered property taxes for purposes of calculating the entity's maximum permissible property tax levy for that calendar year and for ensuing calendar years. Provides that such a public safety user fee is in addition to any other fee, rate or charge imposed under any other statute or under home rule powers. Allows the

imposition of an impact fee for capital improvements for public safety purposes. Provides that for purposes of the impact fee statutes, impact costs do not include the costs of infrastructure necessitated by annexation. Requires a property insurer to pay a fire department reimbursement provided in a policy in response to the property owner's claim against the insurer. Allows a fire department to charge the property owner if the reimbursement is not paid. **Chamber Position: SUPPORT IN PART Reason:** The Chamber supports reasonable user fees in situations where they are equitably applied and serve to reduce the overall property tax burden.
Contact: Bill Waltz (317) 264-6887

SB 324 Legal Costs (Banks)

Requires a court to award attorney's fees to the prevailing party in all civil actions. **Chamber Position: SUPPORT IN PART Reason:** See HB 1397.
Contact: George Raymond (317) 264-6884

SB 333 Public Works Projects (Walker)

Provides that the plans, specifications and other contract documents for a public works project may not require bidders, contractors or subcontractors to enter into or comply with certain agreements with labor organizations. **Chamber Position: SUPPORT Reason:** See HB 1067.
Contact: George Raymond (317) 264-6884

SB 345 Unemployment Insurance Bonds (Tallian)

Provides for the issuance of bonds to pay off loans received from the federal government unemployment trust fund before July 1, 2011. Grants the Indiana Finance Authority the power to issue the bonds and to administer the obligation trust fund. **Chamber Position: SUPPORT Reason:** Indiana's unemployment trust fund has borrowed around \$1.9 billion from the federal unemployment trust fund in order to pay unemployment benefits. Currently, employers receive a 5.4% credit on their federal unemployment insurance tax. The credit is reduced by 0.3% each year that there is an outstanding loan from the federal government. The Indiana Department of Workforce Development estimates that amount to be about \$59 million in 2011 and this amount will continue to go up. Also, the federal government charges interest on the outstanding loan balance and this is estimated to be around \$75 million for 2011. By paying off the federal loan through proceeds of a bond sale, employers would not face the loss of the 0.3% credit each year, saving employers millions of dollars per year. Also, the interest rate on the bonds should be fairly comparable to the interest rate charged by the federal government.
Contact: George Raymond (317) 264-6884

SB 349 Homestead Property Taxes and Sales and Use Taxes (M. Young)

Eliminates property taxes on primary residences (homesteads). Decreases the state sales and use tax rate from 7% to 5.5%. Provides that sales and use tax applies to transactions involving services, except for legal services, health or mental

health services (including insurance premiums for policies covering these services), and services provided for charitable tax exempt purposes. Deposits the increased sales and use tax revenue in the state general fund. Provides an annual state distribution to offset the property tax exemption for homesteads using gross assessed values of homesteads. Reduces actual property tax levies by the amount of the state distribution. Reduces local option income tax rates by the part attributable to paying homestead credits, property tax replacement credits on homesteads, or freezing levy growth on homesteads unless the county adopts an ordinance to allocate the revenue to the general fund of the various civil taxing units in the county. Eliminates the right of a governmental unit, including special benefit districts, to place a lien on a homestead. Increases the maximum renter's deduction for income tax purposes from \$3,000 to \$8,000 per taxable year. Removes references to the homestead credit throughout the Indiana Code. Removes superseded provisions. Makes conforming changes. Makes an ongoing appropriation.

Chamber Position: OPPOSE Reason: The Chamber is opposed to applying sales tax to services as it would put Indiana businesses at a competitive disadvantage with out-of-state businesses that are not subject to a sales tax. The Chamber is also opposed to reducing the property tax base to the point that it would become a "business only" tax. These changes would have an extremely detrimental effect over time, deterring business investment, causing job reductions and generally impeding economic growth.

Contact: Bill Waltz (317) 264-6887

SB 360 Retained Asset Accounts (Simpson)
Specifies requirements for use of retained asset accounts for life insurance claim settlements. **Chamber Position: OPPOSE Reason:** The Chamber is unaware of this being a problem in Indiana. It is the responsibility of a life insurance agent/producer to discuss with a beneficiary what options are available when a life insurance settlement is involved.

Contact: Mike Ripley (317) 264-6883

SB 380 Township Government (Buck)
Provides that each township that does not contain a high school building of a school corporation, does not contain all or part of at least one municipality, does not contain at least one fire station, or have a population of at least 50,000 is merged on January 1, 2016, into a contiguous township that meets one of those requirements. Provides that these merger requirements do not apply to: (1) a township in Marion County; (2) a township that before January 1, 2014, has reorganized under the local government reorganization statutes; or (3) a township that before January 1, 2014, has merged with one or more other townships under the voluntary township merger process.

Chamber Position: SUPPOSE IN PART/OPPOSE IN PART Reason: This bill would possibly eliminate 352 of Indiana's current 1,006 townships by the way it combines smaller townships with townships that have either a high school, municipality or fire protection district or a population greater than 50,000. While it does combine some of the smaller townships, it does not go far enough toward elimination and

does not take the poor relief function to the county level and allow for a county fire protection planning process.

Contact: Mark Lawrance (317) 264-6893

SB 381 Tax Representatives (Charbonneau)
Provides that certain local officials of a county or their employees may not serve as a tax representative for any taxpayer with respect to property subject to property taxes in the same county before the county property tax assessment board of appeals of that county or the Indiana board of tax review. **Chamber Position: SUPPORT Reason:** This bill reduces the potential for conflicts of interest and appearance of improprieties associated with contractual relationships between tax representatives and county officials involved in property tax appeals.

Contact: Bill Waltz (317) 264-6887

SB 382 Industrial Recovery Tax Credit (Charbonneau)
Provides that a vacant industrial facility must be at least 25,000 square feet instead of at least 250,000 square feet. **Chamber Position: SUPPORT Reason:** This bill will increase the number of property redevelopments occurring due to the credit. Restoring unused industrial sites, regardless of size, serves to put them back on the tax rolls and promotes economic growth in the community.

Contact: Bill Waltz (317) 264-6887

SB 395 Employee's Right-to-work (Yoder)
Makes it a Class A misdemeanor to require an individual to: (1) become a member of a labor organization; (2) pay dues, fees or other charges to a labor organization; or (3) pay to a charity or another third party any amount that represents dues, fees or other charges required of members of a labor organization as a condition of employment or continuation of employment.

Chamber Position: SUPPORT Reason: See HB 1028.

Contact: George Raymond (317) 264-6884

SB 404 Transmitting Wireless Messages While Driving (Lanane)
Makes it a Class C infraction to use a handheld wireless communications device to transmit a text message or electronic mail message while operating a moving motor vehicle, and enhances the penalty for repeat offenses or if the offense results in serious bodily injury. **Chamber Position: SUPPORT IN PART Reason:** See HB 1050.

Contact: Cam Carter (317) 264-6892

SB 405 Township Government (Lawson)
Abolishes townships boards and moves the fiscal responsibilities to the county council. Specifies that for township budgets adopted for 2012 and 2013, the total amount appropriated for a particular year may not exceed the result of: (1) the total amount appropriated for the previous year; multiplied by (2) the assessed value growth quotient applicable to the township for the particular year.

Establishes a township assistance planning board in each county to prepare a county plan for creating countywide township

assistance standards. Provides that the board annually reviews and updates the county's township assistance standards. Requires the plan and township assistance standards to be adopted by the county fiscal body. Specifies that an individual who is a relative of the township trustee may not be employed by the township. Provides that an individual who is a relative of an employee of a township may not be employed in a position in which the individual would have a direct supervisory or subordinate relationship with the employee who is the individual's relative. Specifies that until January 1, 2015, this provision does not require the termination or reassignment of a township employee from a position held by that individual before July 1, 2011. ... **Chamber Position: SUPPORT IN PART Reason:** This bill makes some good changes to townships, including gradually getting rid of township boards, gradually eliminating nepotism, having township phone number/address in a phone directory and adopting countywide poor relief standards. It also has the state Board of Accounts prepare certain reports on townships, but the bill could go farther. The township assistance planning board should do more than just adopt countywide poor relief standards such as develop a plan to move poor relief service delivery to the county level. Nepotism should end earlier than 2015.

Contact: Mark Lawrance (317) 264-6893

SB 409 Gasoline Tax and Special Fuel Tax Distributions (Rogers)

Provides that revenue generated from one cent of the state gasoline tax shall be paid into the supplemental school distribution fund and distributed to school corporations. (This revenue is currently transferred to the state highway fund.) Provides that \$10 million of the first \$25 million in special fuel tax revenue collected shall be paid into the supplemental school distribution fund and distributed to school corporations. (This revenue is currently transferred to the Indiana Department of Transportation.) **Chamber Position: OPPOSE Reason:** Revenues should not be diverted from transportation infrastructure funding. While school funding is likewise a most important priority, gasoline tax revenues are already inadequate to fund critical road and highway maintenance needs and should be dedicated to these related expenditures.

Contact: Bill Waltz (317) 264-6887

SB 410 Transfers From School Capital Projects Fund (Arnold)

Permits a school corporation to transfer in 2011 and 2012 an amount not to exceed 50% of its capital projects fund levy from its capital projects fund to its general fund. **Chamber Position: OPPOSE Reason:** In recent years, Indiana has made a substantial change in its funding of schools that has included a shift for school operating funds from local property taxes to state funds. Prior to the shift, the state began allowing some operating expenditures to be paid through funds that were intended for other purposes, such as utility and insurance payments from the capital projects funds. This proposal extends that flexibility, rather than eliminating the outdated practice, and undermines the state's shift away from property taxes. It also allows schools to forego some of the focus on

prioritization and efficiencies that is demanded by the current economic environment.

Contact: Derek Redelman (317) 264-6880

SB 411 Disclosure of Firearm or Ammunition Information (Nugent)

Provides that a civil action may be brought against a public or private employer that has required an applicant for employment or an employee to disclose information under certain circumstances about whether the applicant or employee owns, possesses, uses or transports a firearm or ammunition.

Chamber Position: OPPOSE Reason: See HB 1355.

Contact: George Raymond (317) 264-6884

SB 420 Weighted Student School Funding Formula (Kruse)

Requires school corporations to establish academic growth goals for each student. Establishes a method of internal accounting for school corporations requiring school corporations to allocate 95% of the funds received by the school corporation (exclusive of money used for debt service and capital construction) to each elementary school and secondary school operated by the school corporation. Specifies that the principal of an elementary school or a secondary school is primarily responsible for determining how money allocated to the school will be spent. Establishes a school funding formula. Provides standards for distributing categorical grants. Provides a method for making state tuition support and certain other money available to each elementary school and secondary school based on a weighted student formula developed by the school corporation with the assistance of a school funding task force. **Chamber Position: SUPPORT Reason:** Current reports indicate that only 58 cents of every educational dollar is spent on instruction. This bill drives school funding decisions to the school level, rather than district level, where a greater proportion of the funds is likely to be spent in classrooms and on direct instructional expenditures rather than overhead and administration.

Contact: Derek Redelman (317) 264-6880

SB 426 Collective Bargaining for School Employees (Skinner)

Provides that school employees and non-certified school employees have the right and obligation to discuss certain topics related to school employment and may (but are not required to) bargain collectively, negotiate, be subject to or enter into impasse procedures or enter into a written contract **Chamber Position: OPPOSE Reason:** Collective bargaining in the public sector serves a narrow self-interest group and is not in the best interest of the vast majority of Indiana taxpayers.

Contact: George Raymond (317) 264-6884

SB 427 Taxation of Civil Service Annuities (Skinner)

Provides a 100% income tax deduction, beginning in 2016, for federal civil service annuity income received by an individual or the individual's surviving spouse after subtracting Social

Security benefits and railroad retirement benefits. Phases in the deduction from 2012 through 2015. Removes the requirement that an individual must be at least 62 years of age to be eligible for the federal civil service annuity income tax deduction.

Provides that an individual's surviving spouse may be eligible for the federal civil service annuity income tax deduction.

Chamber Position: OPPOSE Reason: See HB 1165.

Contact: Bill Waltz (317) 264-6887

SB 432 Property Tax Rate Cap Mitigation Grants (Lanane)

Provides grants from the state gaming fund to school corporations to replace property tax revenue not received because of the property tax rate cap. Annually appropriates to the Department of Education from the state gaming fund the amount necessary to make these grants. Provides that if a school corporation loses more than 33% of its property tax revenue because of the property tax rate cap, the school corporation qualifies for a levy replacement grant equal to 80% of the lost amount. Provides that if a school corporation loses not more than 33% of its property tax revenue because of the property tax rate cap, the school corporation may apply for a grant in an amount determined by the Department of Local Government Finance.

Chamber Position: OPPOSE

Reason: This bill effectively returns the state to the role of subsidizing property taxes as was the case with property tax replacement credits prior to the 2008 reforms. Since those reforms included the state assuming 100% of the general operating expenses for schools, the state should not now be put in the position of paying for those expenses that are still paid with property taxes (primarily debt service).

Contact: Bill Waltz (317) 264-6887

SB 436 Including Businesses on Do-not-call List (Kruse)

Allows the telephone number of an Indiana business to be placed on the quarterly listing of telephone numbers of Indiana consumers that request not to be solicited by telephone.

Requires the attorney general's consumer protection division to notify Indiana residents of the right of any of those subscribers or users to place a telephone number on the listing. Requires the division to include a breakdown of the listing's residential and business subscribers in the division's annual report to the regulatory flexibility committee.

Chamber Position:

OPPOSE Reason: This bill is not necessary for businesses and has the potential to interfere with normal business transactions.

Contact: Mark Lawrance (317) 264-6893

SB 441 Public Works Projects Cost Thresholds (Hershman)

Increases to cost of projects that the Department of Natural Resources may perform without awarding a public works contract from \$75,000 to \$150,000. Increases the cost of projects that some political subdivisions may perform without awarding a public works contract from \$100,000 to \$500,000.

Chamber Position: SUPPORT Reason: See HB 1309.

Contact: George Raymond (317) 264-6884

SB 442 School Operating Levy Referendum (Hershman)

Provides that during the period beginning with the adoption of a resolution by a school corporation to place an operating levy referendum on the ballot and ending at the close of the polls on the day on which the referendum is submitted to the voters, the school corporation may not promote a position on the referendum by taking certain actions. Specifies that a person or an organization that has a contract or arrangement with a school corporation for the use of any of the school corporation's facilities may not spend any money to promote a position on such a referendum. Specifies that an elected or appointed school board member or a school corporation superintendent may at any time: (1) personally advocate for or against a position on such a referendum; or (2) discuss the referendum with any individual, group or organization or personally advocate for or against a position on a referendum before any individual, group or organization so long as it is not done by using public funds.

Chamber Position:

SUPPORT Reason: Taxpayers' dollars should not be used to raise additional taxpayer funds.

Contact: Derek Redelman (317) 264-6880

SB 446 Use of Public School Property by Charter Schools (Schneider)

Allows charter schools to use or have access to unused, closed or unoccupied school buildings that are maintained by school corporations and are not being used for educational purposes.

Chamber Position: SUPPORT Reason: Taxpayers have already invested in these facilities with the expectation that they will be used for public educational purposes; therefore, school districts should not hold these unused facilities, often times with ongoing costs for maintenance and upkeep, when another institution is willing to use that facility for the purpose for which it was built and supported through taxpayer funds.

Contact: Derek Redelman (317) 264-6880

SB 447 School Board Elections (Schneider)

Provides that school board members selected by election must be elected at general elections beginning in 2012. Repeals provisions related to the election of school board members at the primary election.

Chamber Position: SUPPORT

Reason: See HB 1074.

Contact: Derek Redelman (317) 264-6880

SB 459 Streamlined Sales and Use Tax Conformity (Kenley)

Makes changes concerning calling services, durable medical equipment and reliance on the state Department of Revenue's taxability matrix under the state gross retail and use taxes to bring the state into compliance with the Streamlined Sale and Use Tax Agreement.

Chamber Position: SUPPORT

Reason: The Chamber supports conformance with the streamlined sales tax effort. Indiana's agreement to participate in this national program promotes sales tax law uniformity and the voluntary collection of taxes by Internet retailers.

Contact: Bill Waltz (317) 264-6887

SB 461 Health Care Reform Matters (Miller)

Allows the Office of Medicaid Policy and Planning to request federal approval to change how the state determines Medicaid eligibility for the aged, blind and disabled. Requires the Indiana checkup plan to include any federally required benchmark services. Allows, instead of requires, the plan to include dental and vision services. Makes the following changes concerning the plan beginning January 1, 2014: (1) changes income eligibility requirements for the plan from 200% to 133%; (2) removes the requirement that the individual's employer not provide health insurance and that the individual be without health insurance for six months; and (3) removes the requirement that the individual be a United States citizen. Requires a plan participant to contribute at least \$60 per year. Allows the office to amend the plan in a manner to be used to cover individuals eligible for Medicaid resulting from passage of the federal Patient Protection and Affordable Care Act (PPACA). Amends current health insurance law to specify application of the law in conformity with the Act, as amended by the federal Health Care and Education Reconciliation Act of 2010, including provisions concerning coverage of children until age 26, grievances and rescissions. **Chamber Position: SUPPORT Reason:** This bill makes changes to existing law regarding Medicaid and insurance provisions in order to conform to the federal PPACA.

Contact: Mike Ripley (317) 264-6883

SB 473 Various Transportation Issues (Wyss)

Removes certain provisions requiring legislative approval or review by the budget committee for public private agreements, toll roads and tollways. Retains provisions requiring legislative approval for certain projects concerning the construction of Interstate Highway 69 and the designation of a toll road on a part of an interstate highway south of Indianapolis. Provides that the owner of a motor vehicle that passes through a toll collection facility without payment of the proper toll commits a moving violation, a Class C infraction. Authorizes the Bureau of Motor Vehicles (BMV) to withhold the registration of a vehicle used in the commission of a moving violation until the owner pays any applicable fines and fees. Requires the Indiana Department of Transportation (INDOT) or Indiana Finance Authority to adopt rules to establish deadlines to issue citations for, and payment of fines imposed for, moving violations. Requires INDOT to establish a procedure to notify the BMV of unpaid fines for moving violations. Requires the BMV to remit the amount of any moving violation fines paid to the BMV to the entity that imposed the fines. **Chamber Position: SUPPORT IN PART Reason:** The Indiana Chamber supports passage of a blanket public-private partnership (or P3) statute to provide maximum flexibility for INDOT in financing and managing major transportation infrastructure projects. Modeled after the highly successful lease of the Indiana Toll Road, such a statute would bring much-needed private sector investment to the state's remaining infrastructure needs while spurring economic growth and job creation. The Chamber cautions against putting further restrictions on the rapid development of I-69.

Contact: Cam Carter (317) 264-6892

SB 476 Property Tax Assessment Increases (Eckerty)

Limits the annual increase in the gross assessed value of real property to the lesser of 3% or the percentage change in the Consumer Price Index (CPI) for all Urban Consumers. Provides that the limit does not apply if: (1) the ownership of the property changes; or (2) the increase results from a factor that would have increased the assessed value even if neither an annual assessment adjustment nor a general assessment applied. **Chamber Position: SUPPORT IN PART/OPPOSE IN PART Reason:** The Chamber supports efforts to control the annual growth in property tax. History has demonstrated the need for strict limits on how much property tax can be levied by local units of government in order to prevent property taxes from growing at a pace that exceeds the growth in the economy and the ability of the taxpayers to pay. However, the most equitable means of establishing assessments is for them to be based on market values. Restrictions such as the CPI – based on standards and measures unrelated to the property's value and often below the actual value – would undermine the assessment system and treat those with stagnant or declining values unfairly.

Contact: Bill Waltz (317) 264-6887

SB 480 Various Communications Matters (Hershman)

Authorizes the Indiana Utility Regulatory Commission (IURC) to delegate authority to its staff to grant certain requests concerning telephone numbers. Provides that actions taken by the staff are appealable to the IURC. Specifies the information that the IURC may require certain communications service providers to include in applications for certificates of territorial authority. Provides that the IURC may not require a video service provider to disclose identifying information at certain levels of specificity. Grants jurisdiction to resolve certain matters concerning video service franchises to the IURC rather than a court with jurisdiction. **Chamber Position: SUPPORT Reason:** The Indiana Chamber supports telecommunications deregulation and this bill furthers that goal. It also protects proprietary, competitive information in a reasonable way while promoting further investments in the state's telecommunications infrastructure.

Contact: Cam Carter (317) 264-6892

SB 482 Adult Education (Kruse)

Requires the state Board of Education to receive, distribute and account for funds received for career and technical education under federal law. Assigns to the state board responsibility for the planning and implementation of secondary career and technical education. Requires the state board to develop and coordinate career and technical education on a regional and statewide basis and to prepare budget requests for state and federal funds for career and technical education. Allows the state Workforce Innovation Council to make recommendations concerning the budget requests for the state board's review. Assigns to the council responsibility for the GED diploma program and the planning and implementation of postsecondary career and technical education. Assigns responsibility for adult

education to the council and the Department of Workforce Development (DWD). Repeals statutes: (1) establishing the commission for career and technical education; (2) assigning responsibility for the GED diploma program and adult education to the state board; (3) assigning responsibility for postsecondary career and technical education to the commission for higher education; and (4) assigning secondary career and technical education to the council and DWD. Makes conforming changes. **Chamber Position: SUPPORT Reason:** See HB 1340.
Contact: Derek Redelman (317) 264-6880

SB 483 Electronic Filing of Business Tax Returns (Kruse)
Requires the state Department of Revenue to permit filing of corporate income tax returns and information returns for pass through entities in an electronic format. **Chamber Position: SUPPORT Reason:** A system is already in place for individuals to file electronically, and corporations should be able to exercise the same option.
Contact: Bill Waltz (317) 264-6887

SB 489 Proof of Collateral Source Payments (Steele)
Prohibits a court from admitting into evidence a write-off, discount or other deduction associated with a collateral source payment in a personal injury or wrongful death action, unless the action is an action for medical malpractice. **Chamber Position: OPPOSE Reason:** This bill seeks to reverse a recent evidentiary standard set by the Supreme Court and limit evidence for medical payments to only the amount charged. Thereby, it prohibits as evidence the difference between the amount charged and the amount actually paid (write-off). Doing so will create windfalls for plaintiffs and prevent Indiana juries from hearing necessary evidence to determine what was actually reasonable for medical payments. Inflated awards may increase insurance costs.
Contact: Mike Ripley (317) 264-6883

SB 496 Parental Initiatives for School Reorganization (Kruse)
Provides that parents of a school that is in the third or subsequent year of placement in the lowest performance category may petition to reorganize the school by: (1) closing the school and transferring the students to a higher performing school in the same school corporation; (2) reorganizing the school as a charter school; or (3) providing tuition payments for students who wish to transfer from the school to another school corporation or a nonpublic school. Requires the governing body of the school corporation to carry out the reorganization if the parents of at least 51% of the students in the school sign the petition. Requires the Department of Education to create a school performance category of pending reorganization and to place such a school in that category. Provides that once a school has been reorganized, another petition for reorganization may not be submitted for at least five years after the school year in which the reorganization takes place. Requires a school corporation to sell surplus real property to another educational institution if the educational

institution is the highest bidder. **Chamber Position: SUPPORT Reason:** Indiana's accountability timeline allows schools to fail for at least six consecutive years before state officials can intervene. This bill would provide the parents of those schools several options for intervening sooner than the state timeline and to initiate school reform efforts on behalf of their children.
Contact: Derek Redelman (317) 264-6880

SB 497 Higher Education Scholarship (Kruse)
Provides an early graduation scholarship to a student who graduates from high school before grade 12. Allows the families of such students to use \$3,500 of state tuition support to attend college and allows remaining funds to be kept by the school district. Requires the state Board of Education to amend its rules to facilitate graduation from high school in less than seven semesters. **Chamber Position: SUPPORT Reason:** The vast majority of Hoosier jobs now and in the future will require post-secondary education. This proposal would assist and incentivize students who are ready for college-level work to begin those pursuits.
Contact: Derek Redelman (317) 264-6880

SB 507 Township Government Matters (Glick)
Provides that after December 31, 2014, the total compensation and benefits paid to a township board member may not exceed \$5,000 per year. Specifies that each township office must include the address and phone number of the township office in at least one local telephone directory. Requires all township trustees (instead of only certain trustees) to maintain a telephone answering service and respond to a telephone inquiry for township assistance services not more than 24 hours, excluding Saturdays, Sundays and legal holidays, after receiving the inquiry. Requires that a public meeting or a public hearing of a township legislative body must be held in a public place if one is available in the township. Provides that if a trustee does not: (1) accept a completed application for township assistance; or (2) grant or deny a completed application for township assistance within the period required by statute; the application is considered denied, and the denial may be appealed to the board of county commissioners. ... **Chamber Position: OPPOSE IN PART Reason:** See HB 1391.
Contact: Mark Lawrance (317) 264-6893

SB 508 Reporting Public Pension Liabilities (Banks)
Requires the state or a political subdivision to report the unfunded accrued liabilities of its retirement plan as debt in a financial statement prepared after June 30, 2011. **Chamber Position: SUPPORT Reason:** These liabilities are to varying degrees ultimately funded with tax dollars and should be included in financial statements in order for the public to understand the financial commitments being assumed by the governmental units.
Contact: Bill Waltz (317) 264-6887

SB 517 Abandoned Housing (Merritt)
Reduces the tax sale redemption period for vacant and abandoned residential property to six months and reduces the

redemption period for vacant and abandoned nonresidential property to one month. Provides immunity from civil liability to a person who gratuitously: (1) secures; (2) removes trash or debris from; or (3) mows, landscapes or maintains; vacant or abandoned property. Establishes the interim study committee on mortgage foreclosure issues to study issues relating to: (1) reducing delays in mortgage foreclosures; and (2) mortgage foreclosures of vacant or abandoned property. **Chamber Position: SUPPORT IN PART Reason:** The high number of mortgage foreclosures present numerous policy issues. In particular, the responsibility of a mortgagee when foreclosing an abandoned property involves the balancing of matters that require thorough study by an interim committee.
Contact: Bill Waltz (317) 264-6887

SB 519 ISTEP (Waterman)

Replaces the ISTEP test program with the Measures of Academic Progress assessment system. Repeals the definition of "ISTEP program." **Chamber Position: OPPOSE Reason:** Eliminating or replacing Indiana's student testing system, which has been carefully correlated to state standards, would wreak havoc on our state's system of standards, testing and accountability. It would also place the state at risk of losing millions of dollars from federal education funds.
Contact: Derek Redelman (317) 264-6880

SB 524 Public Pension Study (Walker)

Urges the Legislative Council to assign the Pension Management Oversight Commission the task of studying the issue of whether to close the public employees' retirement fund (PERF) and the Indiana state teachers' retirement fund (TRF) and establish a defined contribution plan for new employees. Requires, if the commission is assigned the topic, that the commission issue a final report containing the commission's findings and recommendations, including any recommended legislation, not later than November 1, 2011. **Chamber Position: SUPPORT Reason:** Switching the PERF and TRF programs to defined benefit plans offer the potential for substantial savings and should be considered.
Contact: Bill Waltz (317) 264-6887

SB 526 Marion County Government (Merritt)
Consolidates the remaining Marion County township fire departments into Indianapolis Fire Department. Transfers the following offices and functions to city/county government in Marion County: (1) township constables and township small claims courts shall be accounted for in the county budget beginning January 1, 2012; (2) township weed control and parks and recreation are transferred to the consolidated city on January 1, 2013; (3) township trustees shall administer township assistance and maintain township cemeteries after December 31, 2013; (4) township boards are abolished on January 1, 2013, with the county legislative body as their successor; and (5) township government is abolished on January 1, 2013, and statutes related to township government in a county having a consolidated city are repealed. Provides training for constables and deputy constables. Provides that the city-county council may, by ordinance, establish uniform

standards for the provision of township assistance by each trustee throughout the county having a consolidated city. ...
Chamber Position: SUPPORT IN PART Reason: This bill goes a long way in consolidating township functions in Marion County with the remaining township fire departments merging into the Indianapolis Fire Department.
Contact: Mark Lawrance (317) 264-6893

SB 531 Real Property Reassessment (Boots)
Requires the county assessor of each county before January 1, 2012, to prepare and submit to the Department of Local Government Finance (DLGF) a reassessment plan for the county that first applies for the assessment date in 2013. Specifies that the reassessment plan is subject to approval by the DLGF. Provides that the reassessment plan must divide all parcels of real property in the county into different groups of parcels. Requires that each group of parcels must contain at least 25% of the parcels within each class of real property in the county. Requires the assessor to mail notice of assessment within 90 days after the assessor completes the appraisal of a parcel or receives a report for a parcel from a professional appraiser or professional appraisal firm. Establishes procedures for taxpayers to petition the DLGF for reassessment of parcels in a group and a schedule for completion of reassessment of parcels in a group. **Chamber Position: SUPPORT IN PART Reason:** See HB 1057.
Contact: Bill Waltz (317) 264-6887

SB 542 Wage Assignments (Schneider)

Provides that a state employee may not make a wage assignment for the purpose of making a contribution or payment to be used for political activities. Removes a provision that allows an employee to make a wage assignment to pay dues to a labor organization to which the employee belongs. Removes a provision that requires a school employer to deduct from a school employee's pay and remit to school employee organization for the school employee organization. **Chamber Position: SUPPORT Reason:** Payments made by a member of a labor organization to a labor organization should be handled between the employee and the labor organization. An employer should not be required to incur the expense of collecting and remitting dues on behalf of a union.
Contact: George Raymond (317) 264-6884

SB 546 Virtual Charters and School Scholarship Tax Credit (Hume)

Eliminates the virtual charter school pilot program. Eliminates the school scholarship tax credit. Repeals the statutes concerning the program and the tax credit. **Chamber Position: OPPOSE Reason:** Eliminates parent choices, forces students to continue in schools that do not fit their needs and raises the cost of public education.
Contact: Derek Redelman (317) 264-6880

SB 547 Superintendent of Public Instruction Appointment (Hume)

Provides for the state superintendent of public instruction to be appointed by the governor. Repeals a statute relating to the

residency of candidates for state superintendent of public instruction. Deletes a provision describing the term of office of the state superintendent of public instruction. **Chamber Position: SUPPORT Reason:** The public holds the governor most accountable for our state's educational system. Moreover, an appointed superintendent would empower the governor to create and pursue a more coordinated education and financial policy for the citizens of the state.

Contact: Derek Redelman (317) 264-6880

SB 550 Redevelopment Commissions and Authorities (Boots)

Provides that the legislative body of a unit must approve the budget, the tax levy, spending, bond and debt financing, a lease pertaining to bonds or debt financing, payment of capitalized interest, selling of property, as well as allocation of excess tax revenue of the unit's redevelopment commission and redevelopment authority. Provides that the fiscal officer of a redevelopment commission or redevelopment authority is the fiscal officer of the unit that established the commission or authority. It also authorizes the fiscal officer to obtain financial services on a contractual basis. **Chamber Position: SUPPORT Reason:** Gives additional oversight on major transactions for redevelopment commission and redevelopment authority.

Contact: Mark Lawrance (317) 264-6893

SB 551 Public Employees' Defined Contribution Plan (Waltz)

Requires the board of trustees of the Public Employees' Retirement Fund (PERF) and the Indiana State Teachers' Retirement Fund (TRF) to establish, for individuals who, after June 30, 2011, become full-time employees of the state, a participating political subdivision or a school corporation, a defined contribution plan using the PERF and TRF annuity savings accounts or as a separate fund. Requires the board to establish the alternative investment programs within the PERF and TRF annuity savings accounts as the initial alternative investment programs for the plan. Requires the board to include a stable value fund as an investment option. Requires that each plan member, as a condition of employment, make an annual contribution equal to 3% of the member's compensation. Requires a plan member's employer to make an annual contribution in an amount determined by the rules of the board, with a minimum contribution of 3% of the member's compensation. Allows withdrawals at the earliest date and requires withdrawals at the latest date, permitted by the Internal Revenue Service. Requires that a withdrawal amount be paid as a lump sum, a direct rollover to another eligible retirement plan, or a monthly annuity purchased by the board. Requires the General Assembly to appropriate an amount sufficient to fund the required contributions. **Chamber Position: SUPPORT IN PART Reason:** See SB 524. Appropriate vetting should be given to the bill's specifics of how to implement such a defined benefit plan.

Contact: Bill Waltz (317) 264-6887

SB 556 Confined Feeding Operations and CAFOs (Paul)

Provides that a person may not start: (1) the construction of a concentrated animal feeding operation (CAFO); or (2) an expansion of a CAFO that would increase animal capacity or manure containment capacity, or both; without obtaining the prior approval of the Indiana Department of Environmental Management. Establishes financial assurance requirements and the Water Pollution Control Board to adopt rules before January 1, 2012, to set the amount of financial assurance.

Chamber Position: OPPOSE Reason: There are adequate rules and regulations to control Indiana's CAFO operations.

Contact: Vince Griffin (317) 264-6881

SB 559 Conflict of Interest (Bray)

Specifies certain definitions and defenses that apply to the crime of conflict of interest. **Chamber Position: SUPPORT Reason:** Good conflict of interest language for public servants to abide by.

Contact: Mark Lawrance (317) 264-6893

SB 561 Corrections and Sentencing (Steele)

Requires the Department of Correction to: (1) determine the average daily marginal cost of incarcerating an offender; (2) determine the average length of stay for a Class D felony offender in the department; and (3) administer an incentive and disincentive program for counties to reduce the number of Class D felony offenders committed to the department. Requires the judicial conference to adopt rules concerning swift and certain sanctions that a probation officer may use in supervising persons on probation. Establishes the substance abuse treatment fund administered by the Department of Correction to award grants to probation departments to increase substance abuse treatment access for persons on probation who have substance abuse addictions. Requires the Department of Correction to: (1) supervise parolees who were sentenced by a court in Indiana for murder, a Class A felony, a sex offense, or incest; (2) assist all parolees sentenced by a court in Indiana; and (3) supervise and assist out-of-state parolees accepted under an interstate compact as required by the interstate compact. ... **Chamber Position: SUPPORT Reason:** See HB 1530.

Contact: Mark Lawrance (317) 264-6893

SB 563 Emergency Communications Fees (Hershman)

Establishes the 11-member statewide 911 board. Provides that the treasurer of state serves as the chairperson of the board. Establishes the statewide 911 fund and appropriates money in the fund. Provides that the board shall administer the fund. Requires the board to impose a statewide 911 fee on each standard and prepaid subscriber of voice communications service in Indiana. Deposits fees in the fund. Prohibits a state agency or a political subdivision from imposing any additional fee relating to the provision of 911 service. Specifies the manner in which the board distributes money from the fund to public safety answering points (PSAPs). Specifies the permissible uses for funds distributed to a PSAP. Allows a

county to establish an emergency telephone notification system. Requires a voice communications service provider to provide to a PSAP the necessary subscriber data to enable the PSAP to implement and operate a 911 system. Provides that proprietary information submitted to the board is confidential. Provides that after June 30, 2015, a county may not contain more than one PSAP. ... **Chamber Position: SUPPORT Reason:** Helps enhance the funding and coordination of the 911 public safety answering points and to achieve greater efficiencies of the system.
Contact: Mark Lawrance (317) 264-6893

SB 565 Solid Waste Management Districts (Gard)

Eliminates the authority of a Solid Waste Management District (SWMD) to impose property taxes, except to repay currently outstanding bonds, and otherwise limits the authority of an SWMD. Makes changes to the method and distribution of funding. Establishes qualifications for and duties of an SWMD district director. **Chamber Position: SUPPORT Reason:** The SWMDs were created by Indiana law approximately two decades ago. A recent study by the Legislative Services Agency sent to the Legislature's Environmental Quality Service Council expressed concern with multiple areas related to the districts including: the growing number (over 70) of the districts; over \$30 million per year in property tax assessments; lack of clear goals, objectives or measurements; inequitable distribution of the funds raises from landfill tipping fees; and questionable accounting for the funds. The Chamber believes that the overall mission, funding and accountability of the SWMDs should be carefully considered as identified in SB 565.
Contact: Vince Griffin (317) 264-6881

SB 569 Tax Procedures (Holdman)

Changes the method for calculating interest due on property tax payments and refunds. Indicates that an explanation of appeal procedures must be included in a property tax bill if a change in assessment was made without sending out a Form 11. Provides that a taxpayer may appeal a dispute over interest, penalties, collection fees, clerk's costs, sheriff's costs and collection agency fees imposed on delinquent property taxes by filing a Form 133 with the county auditor. Permits an appeal to the tax court. Specifies that the tax court has jurisdiction over: (1) a dispute related to a refund for a tax administered by the state Department of Revenue (DOR) after the expiration of the date a claim for refund may be filed; (2) settlement agreements between the taxpayer and the DOR; and (3) interest, penalties, collection fees, clerk's costs, sheriff's costs, and collection agency fees related to the collection of a tax administered by the DOR. Indicates that a modification of federal tax liability or a federal tax return need not be reported to the DOR until the federal modification becomes a final, binding determination. ... **Chamber Position: SUPPORT Reason:** This bill makes many procedural improvements and clarifications regarding the processes applicable to taxpayers in pursuing a proper determination of their tax liabilities.
Contact: Bill Waltz (317) 264-6887

SB 573 Construction Industry Employer-Union Agreements (Tallian)

Provides that a construction industry employer may enter into an agreement with a union or other labor organization that represents the employer's workers to allow the union or other labor organization to become the employer of the union's or other labor organization's members only for purposes of unemployment insurance. Provides that an individual whose union or other labor organization is the individual's employer for purpose of unemployment insurance is automatically entitled to a work search waiver. **Chamber Position: SUPPORT IN PART/OPPOSE IN PART Reason:** The general concept has merit from the standpoint that as of the end of 2008 employees of the construction industry had drawn unemployment benefits in excess of \$700 million of what construction employers had paid into the unemployment trust fund. This bill would potentially have the effect of construction employers making contributions in excess of what they would normally be required to make for the first three years. The Chamber is opposed to the provision which would permit an employee to be excused from the requirement of actively seeking employment.
Contact: George Raymond (317) 264-6884

SB 575 Teacher Collective Bargaining (Boots)

Extends the use of temporary teacher contracts to hiring for positions funded by grants. Provides that the statutory procedures for refusing to continue or canceling a teacher contract may not be modified by a collective bargaining agreement. Allows a teacher who has been suspended from duty pending the cancellation of a contract to be suspended without pay. Limits the number of teachers the exclusive representative may appoint to serve on statutory or locally created committees of a school corporation. Provides that an agreement may not include provisions that limit a school employer's ability to restructure schools that do not meet federal or state accountability standards, or that limit a school employer's ability to enter into programs that offer postsecondary credit or dual credits to students. Provides that an agreement may not extend beyond the end of a state budget biennium. Prohibits certain subjects from being bargained collectively, and provides that prohibited subjects and items that lead to deficit financing may not be included in an agreement. Removes certain items from the list of discussion subjects between a school employer and an exclusive representative. Provides that collective bargaining begins not later than May 1, and makes corresponding changes to related sections. ... **Chamber Position: SUPPORT Reason:** Scales back a range of union practices that prevent schools from operating effectively and efficiently.
Contact: Derek Redelman (317) 264-6880

SB 576 Worker's Compensation (Boots)

Requires that all members of the Worker's Compensation Board be attorneys in good standing admitted to the practice of law in Indiana. Requires a health care provider to file a claim for payment with the board not later than one year after the last date the provider provided services to an injured employee. Requires

the board to establish a schedule of fees and charges for the resolution of health care provider claims. Makes numerous other changes. **Chamber Position: SUPPORT Reason:** Most of the changes would enable the board to operate in a more efficient manner. The time limits for filing claims will hopefully lead to quicker resolution of claims.

Contact: George Raymond (317) 264-6884

SB 580 Indiana Health Exchange (Simpson)
Requires the commissioner of the Department of Insurance and the secretary of Family and Social Services Administration to perform certain tasks and report to the Health Finance Commission to design, implement and administer the Indiana health exchange in accordance with federal law. Specifies certain exchange related requirements, including financial requirements and health plan certification requirements. **Chamber Position: OPPOSE Reason:** The Patient Protection and Affordable Care Act requires this exchange to be operational by January 1, 2014. Much of the language in SB 580 is in response to that legislation. This bill suggests that a multi-state exchange be considered. The Chamber opposes a multi-state exchange because it would most likely require an interstate compact to mirror products across state lines or a U.S. Health and Human Services regulation. (Instead, the Chamber supports the creation of a state-based exchange.) Specifically, the exchange proposed in this bill requires that to be eligible to participate in the exchange, an insurer must offer silver and gold-level plans in both the individual and small business health option markets. This is problematic because unless the risk pools in the exchange are designed properly and attract healthy people as well as the sick, then there is the possibility that insurers may not participate in the exchange. Separately, the Chamber supports a formal notification to the Health Finance Commission in this ongoing process.

Contact: Mike Ripley (317) 264-6883

SB 584 Local Indiana Business Preference
(Paul)

Provides a price preference to local Indiana businesses bidding on purchasing and public works contracts awarded by political subdivisions. **Chamber Position: SUPPORT Reason:** See HB 1183.

Contact: Cam Carter (317) 264-6892

SB 585 Certified Technology Parks (Lanane)
Permits a certified technology park to capture incremental state income and sales taxes and local income taxes for a business that incubated in the park and then relocates outside the park but within the same county. Phases out the amount of the captured increment over five years. Permits a certified technology park to apply to the Indiana Economic Development Corporation (IEDC) to redraw the boundaries of its district at the time of a recertification. Requires the IEDC to redraw the district if the corporation finds that certain conditions are present. **Chamber Position: SUPPORT IN PART/OPPOSE IN PART Reason:** The Indiana Chamber supports technology parks and lobbied in the past for their review and recertification. The Chamber opposes provisions of this bill that would allow for capture of revenues generated by former tenant(s) of a

technology park that have moved outside of a park's boundaries. The Chamber supports the provisions of the bill that would allow a park to petition the IEDC to expand its boundaries during the review/recertification process.

Contact: Cam Carter (317) 264-6892

SB 589 Economic Development and State Tax
Matters (Hershman)

Makes the following changes to economic development programs and income tax provisions: (1) Makes the economic development study committee a four-year committee that expires December 31, 2014, with a membership including legislative and non-legislative members. Requires the study committee to determine methods for eliminating or reducing the personal property tax statewide and the appropriateness of allowing local government the option of eliminating or abating personal property tax for new investment and economic development purposes; (2) Requires the Indiana Economic Development Corporation (IEDC) to collaborate with local economic development organizations and submit an annual report to the study committee regarding collaboration; (3) Requires the state Board of Education, the commission for higher education and the Department of Workforce Development to work together to develop entrepreneurship education programs for elementary and secondary education, higher education and individuals in the workforce; (4) Requires the IEDC to conduct a statewide study to determine specific economic sectors that should be emphasized by the state and by local economic development organizations within geographic regions in Indiana; (5) Decreases the corporate income tax rate from 8.5% to 5%. ... **Chamber Position: SUPPORT IN PART/OPPOSE IN PART Reason:** See HB 1466.

Contact: Cam Carter (317) 264-6892

SB 590 Illegal Immigration Matters (Kruse)

Makes various changes to law concerning enforcement of federal immigration laws, checking the citizenship or immigration status of individuals, and related criminal matters, including the following: (1) Requiring that only English be used, with certain exceptions, in public meetings, public documents, by officers and employees of state or political subdivisions in performing their duties, and providing information communicated electronically by the state or a political subdivision; (2) Requiring the Office of Management and Budget to calculate the costs of illegal aliens to Indiana and make a written request to the Congress of the United States to reimburse the state for those costs; ... 5) Requiring law enforcement officers to verify the citizenship or immigration status of individuals in certain situations; (6) Establishing a process to suspend or revoke business licenses of employers who knowingly employ unauthorized aliens. The bill has many other provisions. **Chamber Position: OPPOSE Reason:** People coming into this country to work should do so legally. However, this bill places the responsibility of ensuring that people can lawfully work in this country on employers rather than the proper governmental entities charged with immigration matters. The bill's penalties against employers are totally out of line with the violations. Furthermore, employers are already

required by law to verify a person's right to employment through the federal I-9 process.

Contact: George Raymond (317) 264-6884

SJR 8 Homesteads Exempt From Property Tax (M. Young)

Exempts homesteads from property taxation. This proposed amendment has not been previously agreed to by a General Assembly. **Chamber Position: OPPOSE Reason:** The Chamber is opposed to reducing the property tax base to the point that it would become a "business only" tax. These changes would have an extremely detrimental effect over time, deterring business investment, causing job reductions and generally impeding economic growth. This resolution would negatively impact many communities and economic development in general, potentially threatening the fiscal and economic welfare of the state as a whole. It would discourage businesses from locating in Indiana and stymie additional capital investment by those already located here. Businesses would be driven out of many locales or simply shut down.

Contact: Bill Waltz (317) 264-6887

SJR 11 Right to Opt Out of Health Care System (Kruse)

Proposes an amendment to the state constitution to specify certain rights with respect to health care. This proposed amendment has not been previously agreed to by a General Assembly. **Chamber Position: SUPPORT Reason:** The Indiana Chamber supports major modifications to The Patient Protection and Affordable Care Act (PPACA) of 2010. PPACA does little to reduce cost because it inadequately addresses the cost drivers in the health care delivery system. Certain unrealistic provisions of PPACA will lead to the eventual destabilization of the health care sector and the economy as a whole. The Chamber will work with all stakeholders to reform PPACA. Though not actively seeking the repeal of PPACA, should a realistic opportunity to repeal PPACA and replace it with a more favorable law present itself, the Chamber would engage in that process. Additionally, the Chamber supports the state's right to opt out of the federal health care system.

Contact: Mike Ripley (317) 264-6883

SJR 15 Right to Opt Out of Health Care System (Grooms)

Proposes an amendment to the constitution of the state of Indiana to specify certain rights with respect to health care. This proposed amendment has not been previously agreed to by a General Assembly. **Chamber Position: SUPPORT Reason:** See SJR 11.

Contact: Mike Ripley (317) 264-6883

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