



2024 LEGISLATIVE BUSINESS ISSUES

This publication summarizes the public policy positions of the Indiana Chamber of Commerce for the 2024 General Assembly and congressional sessions, as well as those for state and federal agencies.

It reflects extensive research, analysis and refinement by the Indiana Chamber's volunteer policy committees (comprised of employees of member companies) and Chamber staff.

Legislative Business Issues 2024 reviewed and approved by the Chamber's board of directors and is distributed to its membership, legislators, media, local chambers and other interested parties.

The Chamber's lobbying team uses these policy positions to initiate and evaluate legislation at the Statehouse and in Congress. If you have any questions, or wish to express your views, please contact the appropriate Chamber lobbyist.

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STATE BUSINESS ISSUES

CIVIL JUSTICE

Civil Justice

The Indiana Chamber Position:

The Indiana Chamber supports legislation and other reform efforts designed to facilitate a fair and reasonable civil justice system in our state. Preserving the integrity and credibility of our court system by preventing lawsuit abuse is critical to maintaining a positive climate for the creation of jobs and increased economic development.

The Indiana Chamber supports:

- fair determination of actual damages based on fault and economic loss;
- timely and predictable process for resolution of disputes;
- examination and reform of the contingency fee system;
- implementation by the courts of current statutory sanctions against parties bringing frivolous lawsuits;
- establishment and implementation of procedural measures for use by the courts in preventing frivolous lawsuits and in turn, expediting the resolution of legitimate, good faith claims;
- limitations on non-economic and punitive damages;
- retention of Indiana's medical malpractice statutes;
- instituting a qualified settlement system to help curb frivolous lawsuits (scenario: a qualified settlement is offered but refused; a judgment is later ordered that is less than the qualified settlement offer so then the plaintiff would be required to pay all court costs up to the difference in the two settlements);
- providing timely summary judgments and dismissals;
- limiting "vertical liability" (common in the construction industry);
- a loser-pays-all discovery costs position;
- moderate sanctions for inadvertent destruction of electronic evidence, to reduce intimidation of Indiana businesses;
- a legislative study committee to review the state's mandatory sentencing guidelines;
- the prohibition of the funding of lawsuits by non-parties to the lawsuit;
- no further erosion of or modification to Indiana's statute concerning collateral source payments (IC 34-44-1-2);
- no further erosion of the limitation on recovery under Indiana's wrongful death statute (IC 34-23-1-2);
- no erosion of or modification to Indiana's statute of repose and limitation concerning asbestos (IC 34-20-3-1);
- proactive strategies to influence judicial selection;
- requiring a plaintiff to demonstrate a minimal "nexus to fault" when naming a defendant in a tort lawsuit; and
- no erosion to Indiana's liability statutes (e.g., manufacturing, premises, etc.).

Coronavirus/Pandemic Business Protections

The Indiana Chamber Position:

During the 2021 legislative session the Indiana Chamber lobbied heavily for SEA-1. It provided businesses with civil tort immunity for damages arising from COVID-19 on their premises and for harm that results from the design, manufacture, labeling, sale, distribution or donation of a COVID-19 protective product.

Eliminate or Regulate Lawsuit Lending

The Indiana Chamber Position:

The Indiana Chamber supports preserving the 2016 enacted statute that regulates the practice called lawsuit lending. These loans allow plaintiffs in difficult financial circumstances to get their hoped-for lawsuit proceeds in advance, while providing lenders the opportunity to speculate on payoffs of big legal judgments.

The Chamber further supports the 2023 modifications to the statute, which requires plaintiffs to disclose to the opposing party if and when they enter into a third-party legal lending agreement.

Protecting Indiana Businesses from Defamation

The Indiana Chamber Position:

The Indiana Chamber supports legislation to prevent, by establishing criminal penalties, persons from entering business property under false pretenses to record video to be used for the purpose of industrial espionage, theft of trade secrets and disclosure of proprietary manufacturing processes or to harm the business reputation with their customers using the Internet or other means of distribution.

ECONOMIC DEVELOPMENT

Alcohol Code Revision

The Indiana Chamber Position:

The Indiana Chamber supports a thorough review and modernization of Indiana's alcohol laws. We believe the state would be better off to take the inefficiencies out of the current system. The Chamber supports more logical and equitable policies that level the playing field for producers, distributors and retailers, as well as facilitate consumer convenience, including, but not limited to:

- sales of alcoholic products by licensed retailers should remain available seven days a week;
- eliminate the temperature restriction for retail cold beer sales;
- eliminate production limits for manufacturing and distribution;
- all businesses licensed to make, distribute or sell alcohol should be able to make, distribute or sell all categories of alcohol including beer, wine and spirits;
- discourage underage and inappropriate consumption of alcohol by expanding education, substance abuse and wellness programs and enforcement of underage restrictions; and
- to the extent there are new retail permits issued in the future, the General Assembly should give deference to those retailers who have paid a higher price for their current permit.

Amenity-Based Economic Development

The Indiana Chamber Position:

The Indiana Chamber supports a strategy and attendant policies to enable community-driven, amenity-based economic development that aims to enhance the quality of life in the state's diverse urban and rural communities and regions. In addition to offering companies a compelling business climate, the state of Indiana should partner with regions and communities to help make them more attractive places to invest, live and raise families. Specific policies and initiatives include the continued implementation and expansion of

the Indiana Economic Development Corporation's Regional Cities and Regional Economic Acceleration and Development Initiative programs, as well as providing more flexibility for local communities to develop local revenue streams and use philanthropic dollars and public/private partnerships to fund projects supported by community consensus. These efforts should go beyond capital improvements and infrastructure investments to include quality of life, programmatic initiatives that address local education, health and workforce needs.

The Chamber also supports developing and implementing a state-based Regional Development Tax Credit, useable around the state to support revitalization, redevelopment and quality of place initiatives. The key objective of the Regional Development Tax Credit would be to encourage long-term collaborative and regional planning to create vibrant communities, enhance quality of place and attract and retain top talent.

Bias Crimes

The Indiana Chamber Position:

The Indiana General Assembly passed meaningful bias (or hate) crime legislation in 2019 that is more inclusive than many states' laws and on par with others. With the passage of this law, the U.S. Department of Justice has reclassified Indiana as having a significant bias crimes law. The Chamber will continue to support and defend legislation that provides for enhanced penalties for criminal offenses committed where there is evidence that the crime was motivated by discriminatory bias or hate. Any supplemental legislation should define bias and hate broadly and include penalty enhancements for crimes motivated by bias against the victim based on their race, religion, ethnicity, national origin, disability, gender, age, political affiliation, sexual orientation or gender identity.

Community In-Migration Efforts

The Indiana Chamber Position:

The Indiana Chamber supports policies that encourage communities and businesses to work collectively to increase the net in-migration of individuals from other states and countries with postsecondary credentials to support Indiana's current and future workforce. Efforts should include a data-driven approach that identifies and targets individuals most likely to move to Indiana, as well as specific marketing efforts that highlight career and lifestyle opportunities throughout the diverse regions of our state. A central component to increasing the net in-migration is maintaining our baseline population. As such, resources should also be allocated to retaining existing Indiana residents, especially educated and technically talented individuals coming out of our state high schools and colleges.

Daylight Saving Time

The Indiana Chamber Position:

The Indiana Chamber supports the observance of daylight saving time as authorized by the Uniform Time Act of 1966 for all 92 counties in Indiana. The Chamber opposes any attempt to reverse or modify the state's adoption of daylight saving time while recognizing the authority of individual counties to petition the federal government with respect to time zone placement.

– *Direct Small Business Impact* –

Entrepreneurship Education

The Indiana Chamber position:

The Indiana Chamber calls for an increase in support for entrepreneurship initiatives in education institutions. This includes, without limitation, more entrepreneurial curriculum in eighth through 12th

grades, supporting entrepreneurship divisions at Indiana colleges and universities, and support for the commercialization of intellectual property (IP) – and the innovators – at every level of academia.

Regarding middle- and high-school entrepreneurial endeavors, support should be afforded to school districts and educators who embrace the opportunity to teach students how to start, grow and sustain a business – whether it be supplemental income funding, tax credits or professional growth opportunities.

The Chamber further supports additional, state-funded resources for colleges, universities and other education institutions that have dedicated offices for IP commercialization. Nontraditional support includes incentives to retain innovators (including students) and innovations/companies in Indiana, building collaboration with industry partners and resources to help colleges and universities market themselves, their students and their successes.

Film and Media Production Incentive

The Indiana Chamber Position:

The Indiana Chamber supports 2022 legislation authorizing the Indiana Economic Development Corporation (IEDC) to issue tax credits to qualified applicants who commit to making threshold expenditures in the creation or production of film, television, music and digital media-related ventures. However, the Chamber encourages e-sports be added to the list of productions available for the credit and advocates for the Indiana Destination Development Corporation to receive the necessary level of funding to establish and market the incentive program as part of its overall economic development efforts.

Indiana Brand/Trademark Program

The Indiana Chamber Position:

The Indiana Chamber supports implementation of an Indiana brand and trademark campaign, marketing effort or similar plan that sells and markets Indiana's strengths and economic advantages. As a state and business community, we should utilize Hoosier pride to strengthen Indiana's brand and promote its favorable business climate nationally and globally. The "Indiana: A State That Works" campaign was a good start and the Chamber encourages widespread adoption of the "In Indiana" campaign, which was launched in early 2023.

The Chamber further supports a continued increase to the budget of the Indiana Destination and Development Corporation (IDDC). By investing in the agency tasked with tourism and marketing, Indiana will gain appeal to prospective visitors, residents and workers.

Local Recognition of State XBE Certification

The Indiana Chamber position:

The Indiana Chamber supports administrative and legislative changes to minority, women and veteran business enterprise (XBE) policies and practices, at the state and local levels, to make certification, recertification and bidding activities efficient for qualified businesses. Additionally, the Chamber supports uniform definitions, universal recognition of state certifications at the local level and partnership agreements between the Indiana Department of Administration (IDOA), Indiana Department of Transportation and local XBE offices concerning oversight and enforcement.

To be clear, this policy position is limited only to certification. Local offices should remain autonomous when it comes to establishing local goals based on what is in the best interest of their community, as well as retaining enforcement authority to ensure compliance with the state certification standards.

Occupation License Reform

The Indiana Chamber Position:

The Indiana Chamber supports legislation that reduces or eliminates unnecessary professional licensing requirements to enter the workforce and/or start new businesses, especially when there is no direct relationship between the professional license and the financial or physical safety of consumers, or when industry-recognized certifications or registries are available in lieu of licensure.

The Chamber further supports extensive review of new proposed licensing requirements as well as downsizing and reforming Indiana's professional license system in furtherance of administrative efficiencies. This includes recognizing licenses issued by other jurisdictions where the requirements to earn that license are substantially similar to Indiana's prerequisites for the same license type.

Reauthorization of the Hoosier Business Investment Tax Credit

The Indiana Chamber Position:

The Indiana Chamber urges the General Assembly to make the Hoosier Business Investment Tax Credit (HBITC) permanent for long-range use and would oppose any future attempts to remove the HBITC from the Indiana Economic Development Corporation's \$300 million aggregate tax credit appropriation.

– *Direct Small Business Impact* –

Recruiting and Respecting Human Talent

The Indiana Chamber Position:

The Indiana Chamber believes that the recruitment, attraction and retention of talented individuals to businesses in our state and the ability of Indiana businesses to compete in a global economy are enhanced by our state's reputation for hospitality, diversity and freedom from discrimination. Therefore, the Indiana Chamber supports the expansion of equal protection under our state civil rights laws to individuals regardless of sexual orientation or gender identity.

Regional Management Authorities

The Indiana Chamber Position:

The Indiana Chamber supports legislation that empowers local communities in regions throughout Indiana to come together to create regional management authorities (RMAs) to boost quality of place funding, streamline government services and attract businesses and people, as well as public and private funding. RMAs should be given broad discretion when establishing an economic development strategy, leadership appointments and funding mechanisms most appropriate to address the unique needs of their region.

The Chamber opposes any strategy or effort that results in a new layer of government or taxing authority. Municipalities and counties should be allowed to opt into these regional development efforts if their initiatives are financed – in whole or in part – by dedicated local tax revenue.

Right-to-Work

The Indiana Chamber Position:

Opponents have promised continuing action to repeal or strike down right-to-work (RTW) in the courts, in an attempt to resume the practice of requiring union membership or financial support as a condition of employment. The Indiana Chamber will support and defend Indiana's RTW statute.

– *Direct Small Business Impact* –

Small Business Export Finance Assistance

The Indiana Chamber Position:

The Indiana Chamber believes a gap exists in the ability of small businesses to be engaged in global exportation. To that end, the Chamber encourages the utilization of the sponsored (working with private sector state financial institutions) low-interest export finance loans or a grant program to assist in covering the cost for working capital or accounts receivable financing. A program – similar to the federal government’s SBA 7(a) Export Working Capital Loan program – to provide \$350,000 or up to 50% of project costs in the areas of direct or indirect costs in the production of those goods or the provision of services would provide an economical means to engage Indiana’s businesses in the global marketplace.

– Direct Small Business Impact –

Small Business/Mid-market Investment for Indiana’s Future

The Indiana Chamber Position:

The Indiana Chamber supports the enactment of legislation to allow tax credits and incentives for entrepreneurial small businesses and mid-market company development and expansions in the following manner, but not limited to:

- the initiation of a small/mid-market business growth tax credit program that would be available to small businesses (those having at least five employees);
- restoration of historic (\$70 million-plus per biennium) funding levels for the state’s 21st Century Research & Technology Fund;
- restoration of the 21st Century Fund’s SBIR/STTR dollar-for-dollar matching program;
- preservation of the state’s patent-derived income tax exemption;
- support for university-based entrepreneurship programs;
- support/expansion of the 21st Century Fund’s entrepreneur-in-residence model; and
- expansion of Indiana Capital Access Program – State Small Business Credit Initiative (CAP-SSBCI) to facilitate more small business borrowing, including low or no interest loans and collateral support.

– Direct Small Business Impact –

Tax Phase-In

The Indiana Chamber Position:

The Indiana Chamber supports the continuation of property tax phase-in as an economic development tool and advocates for local independence to pursue and structure creative tax-based incentives. If structured properly, tax phase-ins can be one of the best and most successful incentives available for business and industry expansion and relocation in this state. The Chamber further encourages local governments to undertake initiatives to improve their residents’ quality of life, but phase-in “strings” such as a minimum wage or social program set-asides may risk economic development and should not be pursued. Further, phase-ins should be a minimum of five years and the overall terms should contemplate projected new tax revenues generated (property and income taxes). Indiana must remain competitive with other states regarding total economic development tools available. Tax phase-ins and local incentives are utilized in every state, and hence should remain in place in Indiana. Alterations or modifications to such tools should be closely linked to Indiana’s overall economic competitiveness and ability to provide a healthy economic climate for the attraction and retention of jobs and investment. Backsliding and clawback provisions should not be required under state law, but reasonable accountability provisions, with oversight and control, should continue to be a local requirement if deemed appropriate by the granting authority.

– Direct Small Business Impact –

Tax Increment Financing

The Indiana Chamber Position:

The Indiana Chamber supports the continuation of tax increment financing (TIF) as an economic development tool. Use of TIF should be limited to the attraction of primary investment (that is, a calculated determination by local officials that should be linked intrinsically to the original purpose of generating the TIF district). TIF funds should not be diverted from their original purpose or diluted.

The Indiana Chamber further supports exploring policies that expand TIFs – or borrow their financing mechanisms – to permit local governments and regional management authorities to attract and invest in the acquisition of human capital, in addition to their traditional use for growing property tax revenue.

– *Direct Small Business Impact* –

EDUCATION/WORKFORCE

Academic Standards, Assessments and Accountability

The Indiana Chamber Position:

The Indiana Chamber supports:

- Implementation of rigorous academic performance standards for each academic subject from pre-kindergarten through grade 12.
- Keeping a consistent set of standards, with review from educators from time to time to help students, parents and educators have stability and provide accountability.
- Examination and modification of Indiana’s career and technical education (CTE) standards and courses to better align K-12 programming with industry needs and achievement of postsecondary competencies and credentials during high school.
- Implementation of a statewide student assessment system that, as state financial resources permit, is designed to measure student performance and growth directly against the prescribed academic performance standards, includes tools for both formative (diagnostic) and summative (accountability) components, measures both knowledge levels and problem-solving skills, is benchmarked against national and international performance standards customized to determine if a student is college or career-ready, and produces performance data in an easy-to-read format allowing comparisons with other states and countries.
- Providing effective remedial opportunities for students who fall short of established standards. This should include, especially, an aggressive set of remedial strategies for reading instruction in grades K-3 and, when necessary, retention of third graders who have not yet mastered third grade reading proficiencies via the I-READ 3 high-stakes exam.
- An age-appropriate length of rigorous high-stakes testing, in which the focus is on quality instead of quantity.
- Providing clear and understandable measures for parents and the general public, including data on student performance.
- Developing assessments and accountability measures, including attainment of industry-recognized credentials, for CTE programs that are aligned with employer needs and emphasize student demonstration of workforce competencies and fundamental employability skills.
- Focusing on continuous improvement and student academic growth for holding schools, principals and teachers accountable for their performance;
- Including rewards for school and classroom improvement;

- Implementing a broad range of options for intervention, including school or district takeovers and other aggressive interventions for schools and school districts that have an established pattern of poor student academic performance;
- Offering additional choices for parents in schools and districts that are persistently poor performing; and
- The use of authentic assessments to better reflect the workforce readiness of students graduating from an adult high school.

Dropout Prevention and Recovery

The Indiana Chamber Position:

The Indiana Chamber supports policies and other strategies to reduce the state's dropout rate and increase graduation rates, including:

- Continued attention to the accuracy of Indiana's graduation and drop out data;
- Inclusion of accurate graduation data in school reporting and accountability measures;
- Regular and public reporting of the results and consequences of the audit provision contained in Indiana's graduation rate law;
- Establishment of a standard high school diploma, without waivers, as the goal for all students under the age of 18, with GED programs reserved for adults beyond high school age and students under the age of 18 only in extreme circumstances;
- The maintenance of age 18 as the default compulsory attendance age, with incentives for students under age 18 to remain in school until graduation;
- Support of a robust program for adult high schools that creates innovative ways to give high school dropouts and adults 18 and older the opportunity to become productive and engaged taxpaying Hoosier citizens with an expected outcome of a high school diploma AND dual credits or an industry-recognized certificate.
- Continued development of Ivy Tech Community College as a dual-credit granting institution, with attention to increased matriculation of such students to degree and high-need or targeted workforce-related certificate programs;
- Development of alternative learning tracks and learning environments that will assist students who are struggling in the standard high school setting to complete a high school degree and to matriculate towards workforce-related certificate and post-secondary degree programs, including adult dropout recovery programs; and
- Ongoing and consistent funding stream for adult programs.

Early Childhood Education

The Indiana Chamber Position:

The Indiana Chamber supports the development of publicly funded quality early childhood initiatives that:

- Establish clear and measurable standards for childhood development and academic preparation, including objective measures of program quality and kindergarten readiness;
- Ensure enhanced data collection and public reporting transparency to help parents, policymakers and providers better gauge program access, quality and affordability as well as overall system capacity and utilization;
- Modernize and streamline state regulatory requirements for early learning/childcare providers and facilities with the goal of increasing access and capacity while maintaining standards for quality;

- Integrate objective measures of program quality and kindergarten readiness into Indiana's *Paths to QUALITY* system for early learning/childcare providers.
- Leverage regulatory and financial incentives, including streamlined regulations and tiered reimbursement funding, for early learning/childcare providers that participate in Indiana's enhanced *Paths to QUALITY* system and demonstrate progress on associated program quality and kindergarten-readiness indicators;
- Ensure enhanced data collection and public reporting transparency to help parents, policymakers and providers better gauge program access, quality and affordability as well as overall system capacity and utilization;
- Incentivize employer investments that increase access and affordability of high-quality childcare, including tax credits and matching grants for establishing early learning employee benefit programs and buying into provider networks and tuition support pools;
- Maximize the efficiency of all available public and private funding resources, including federal Head Start funds and incentives for increased private investment;
- Provide parents with a broad set of choices, including *Paths to Quality* providers, private providers, non-private providers, for-profit providers and faith-based institutions, and help parents to be aware of and gain access to those choices; and
- Focus on low-income families and other at-risk children while also working to increase the availability of affordable early learning programs for middle-income families.
- Promote more sustainable and scalable childcare funding models that leverage public-private partnerships to increase childcare access and affordability, including "tri-share" models that split the cost of childcare for working families between the employer, the employee and the state.

Educator Collective Bargaining and Teacher Tenure

The Indiana Chamber Position:

The Indiana Chamber supports the repeal of Public Law #217, collective bargaining and exclusive representation for teachers. Short of repeal, the Indiana Chamber supports substantial revisions to the law, such as those passed in 2011, that: 1) limit collective bargaining to wages and benefits only, 2) prohibit restrictions on performance-based pay and 3) eliminate salary schedules based exclusively on years-of-service. Additionally, the collective bargaining law should require an annual check-off by each member of the bargaining unit and dues should be collected by the union, directly from its members, rather having dues collections administered by the school district through payroll withholding.

The Indiana Chamber will also support policies and other strategies allowing schools to increase starting salaries for teachers – with an emphasis on in-demand teachers and content shortage areas– and to financially reward teachers who demonstrate outstanding performance and results in the classroom, including teachers who act as faculty for dual credit instruction.

Educator Training and Licensing

The Indiana Chamber Position:

The Indiana Chamber supports:

- Rigorous admissions standards, especially with regard to content knowledge, for schools of education.
- Requirements for rigorous content knowledge including: for elementary teachers, demonstrable knowledge of the science of reading instruction (including phonics-based instruction); and for middle and high school teachers, demonstrable content knowledge, preferably through the attainment of a major, in the field in which they plan to teach. Content knowledge should be

demonstrated at the start of each teacher's career and on an ongoing basis, such as every two years, through a rigorous assessment.

- The implementation and effective use of alternative teacher licensing for experienced professionals with various areas of specialty (e.g. chemists, lawyers, doctors, accountants).
- Accountability for schools of education that are based on the academic progress of students taught by their graduates.
- Greater transparency and clearer expectations regarding the roles and responsibilities of pre-service teacher training programs in smoothing their graduates' transition to the teaching profession and providing ongoing mentoring support to increase teacher retention and instructional effectiveness.
- Expansion of teacher career ladder systems that better retain and reward Indiana's best teachers by tying compensation to classroom effectiveness and level of responsibility rather than years of service.
- Clear teacher training standards, grounded in research and proven practice, that promote effective virtual and blended learning as well as traditional in-person classroom instruction.
- Expand the state's pipeline of educators qualified to teach dual credit to high school students, both through pre-service training for new teachers and targeted credentialing of existing teachers with a priority on content areas aligned with industry need.

Encourage Innovation in Education

The Indiana Chamber Position:

The Indiana Chamber supports educational programming, curriculum and school design, regulatory relief and the empowerment of teachers and school leaders to plan, develop and implement innovative, research-backed educational programming for students and schools. Innovation should become a central focus in encouraging new approaches, ideas and incentivizing teachers and schools to make continual improvement a driver. Talented teachers should be encouraged, provided more flexibility, highlighted and rewarded for their commitments and demonstrated successes.

One proven approach to incentivizing innovation and improvement in education is performance-based funding models tied to meaningful student outcomes. The Chamber urges the state to preserve performance funding at the postsecondary level and to consider a similar outcomes-focused approach to public K-12 funding that drives additional dollars to schools based on objective measures of student achievement and workforce preparation.

Establishment of Educational Attainment Goals

The Indiana Chamber position:

The Indiana Chamber encourages the state Legislature to formally set attainment goals for post-secondary educational degrees and industry-recognized credentials of 60% of adults in Indiana by 2025. The Chamber further encourages state policymakers to adopt supporting goals and metrics directly tied to reaching Indiana's 60% attainment goal, including increasing the numbers of:

- Postsecondary credentials awarded to high school students that increase post-secondary success and workforce opportunity
- High school seniors and college students filing the Free Application for Federal Student Aid (FAFSA) statewide;
- Postsecondary credentials awarded by Indiana's public two-year and four-year institutions; and
- Working-age Hoosier adults pursuing and earning postsecondary credentials aligned with current and emerging workforce needs.

High School Dropout Prevention and Recovery

The Indiana Chamber Position:

The Indiana Chamber supports policies and other strategies to reduce the state's dropout rate and increase graduation rates, including:

- Continued attention to the accuracy of Indiana's graduation and dropout data as well as increased scrutiny on state policies and local practices regarding the granting of high school graduation waivers;
- Inclusion of accurate graduation data in school reporting and accountability measures;
- Regular and public reporting of the results and consequences of the audit provision contained in Indiana's graduation rate law;
- Establishment of a standard high school diploma, without waivers, as the goal for all students under the age of 18, with GED programs reserved for adults beyond high school age and students under the age of 18 only in extreme circumstances;
- The maintenance of age 18 as the default compulsory attendance age, with incentives for students under age 18 to remain in school until graduation;
- Support of a robust program for adult high schools that creates innovative ways to give high school dropouts and adults 18 and older the opportunity to become productive and engaged taxpaying Hoosier citizens with an expected outcome of a high school diploma AND completion of the Indiana College Core or an industry-recognized credential.
- Continued development of Ivy Tech Community College and Vincennes University as dual-credit credential granting institutions, with special attention to increased matriculation of such students to certificates and degrees in high-need, high-wage job sectors;
- Development of alternative learning tracks and learning environments that will assist students who are struggling in the standard high school setting to complete a high school degree and to matriculate towards workforce-related certificate and post-secondary degree programs, including adult dropout recovery programs; and
- Ongoing and consistent funding stream for adult programs.

High School Graduation and Postsecondary Preparation

The Indiana Chamber Position:

The Indiana Chamber supports the continuing implementation of K-12 academic standards that are aligned to college and career readiness expectations and affirmed by Indiana's institutions of higher education. Such standards should be accompanied by a statewide assessment system that reflects the standards' complexity, includes rigorous cut scores and provides comparability of results across states. Moreover, the Indiana Chamber supports the statewide implementation of Indiana's graduation pathways model as a means of ensuring K-12 students: gain a deeper understanding of individual career interests, aptitude and corresponding career opportunities; graduate with a strong foundation of both academic and technical skills; and attain the fundamental employability skills necessary for success in postsecondary education and the workforce.

In alignment with these priorities, the Indiana Chamber supports:

- Maintaining a commitment to requiring all Indiana students to complete a rigorous high school curriculum (Core 40 as a minimum) to qualify for a high school diploma.
- Phasing out the state's General Diploma to ensure all Indiana high school graduates are adequately prepared to meet the expectations of postsecondary education and employers.
- Ongoing reviews of Core 40 (and other curriculum requirements) to ensure sufficient levels of rigor including, for example, end-of-course exams in key subject areas and an extension of Core 40 to require four years of rigorous mathematics.

- Embedding high-value industry certificates and “Indiana college core” courses in high school diploma options with “diploma plus” incentives for students to earn a postsecondary credential concurrently with a diploma.
- Increasing the availability and strategic use of dual credit and dual enrollment (leveraging Indiana’s Workforce Ready Grants) to increase student access to and completion of the Indiana College Core and/or high-value industry certificates.
- Incentivizing school districts to increase the number of high school graduates who complete the Indiana College Core and/or high-value industry certificates concurrently with a diploma.
- Automatically enrolling eligible students in the state’s 21st Century Scholars program and requiring (with opt-out options) high school seniors to complete the Free Application for Federal Student Aid (FAFSA).
- Strengthening Indiana’s high school accountability system to include outcomes-based performance measures, including student attainment of postsecondary certificates/degrees and industry-recognized certifications aligned with the state’s workforce needs.
- Establishing a statewide, industry-led, youth apprenticeship system that provides debt-free postsecondary credentials and relevant on-the-job training for students while helping employers strengthen and diversify their talent pipelines.
- Strengthening state standards, data collection and targeted investments that promote equitable access to high-quality internships, apprenticeships and related work-based learning experiences at the secondary and postsecondary levels, including the Employment Aid Readiness Network (EARN) Indiana work-study program for low-income and other underrepresented populations.

Improving Academic Opportunities and Student Achievement in Indiana’s Small School Districts

The Indiana Chamber Position:

The Indiana Chamber supports legislation that will provide greater academic opportunities and improve student achievement in Indiana’s smaller school districts (i.e. ones with enrollment less than 2,000 students). This legislation should include: incentives for small districts to combine administrative functions, incentive to merge entire school districts, assistance with building needs, assistance with technology to bring STEM (science, technology, engineering and math) and other advanced courses into these districts through distance learning, establishing STEM centers in rural areas to provide these courses to students in multiple districts, providing incentives/assistance to small school districts to facilitate sharing of teachers who teach STEM and other specialty courses, and more.

Parent and Educator Choice That Generates Innovation in Indiana’s Schools

The Indiana Chamber Position:

The Indiana Chamber supports the enactment of programs and policies that will incentivize public schools to accelerate improvements in academic performance and to improve their responsiveness to consumer needs and will increase options for parents for selecting the educational environment that best fits the individual needs of their children. The programs and policies supported by the Chamber include, but are not limited to:

- Practical methods to allow parental choice of the schools their children attend, both public and private.
- More equitable school funding models, including charter schools and vouchers for parental school choice, to reduce the problems of significantly lower funding levels for schools and students in these settings.
- Explore state and local school funding mechanisms that provide equitable, student-based support based on the student’s needs regardless of the school or school type they attend.

- Tax incentives/credits to encourage parents to invest in their children's education, including tutoring, remediation, school supplies, technology and school tuition; tax incentives/credits for donors who contribute to educational scholarships and educational foundations that assist parents with the cost of school tuition and other educational services; and tax incentives/credits for donations to public and private schools.
- Continued expansion of high-quality charter schools that will foster competition and innovation within the public school system.
- Authority for new charter school authorizers and engagement of current authorizers.
- A requirement that a list of school buildings that are managed/owned by school corporations and state higher education institutions or any subsidiary thereof that are unused and have no specific and timely plans for future use shall be made available to charter schools on a quarterly basis.
- Provisions for sharing proportional shares of local capital funds and referendum dollars with charter schools and/or state support for capital funds, as state financial resources permit.
- Contracting or public/private partnership alternatives to allow for alternative school management and other similar arrangements.
- Exploring proposals that encourage district innovation and consolidation.

Parent and Educator Choice That Generates Innovation in Indiana's Schools

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- Practical methods to allow parental choice of the schools their children attend, both public and private;
- More equitable school funding models, including charter schools and vouchers for parental school choice, to reduce the problems of significantly lower funding levels for schools and students in these settings;
- Address public school funding gaps by requiring a per pupil share of local taxes to follow the student and/or changing inputs to the school complexity index to better support economically disadvantaged students;
- With the help of the Chamber Foundation, explore state and local school funding mechanisms that provide equitable, student-based support based on the student's needs regardless of the school they attend;
- Tax incentives/credits to encourage parents to invest in their children's education, including tutoring, remediation, school supplies, technology and school tuition; tax incentives/credits for donors who contribute to educational scholarships and educational foundations that assist parents with the cost of school tuition and other educational services; and tax incentives/credits for donations to public and private schools;
- Continued expansion of high-quality charter schools that will foster competition and innovation within the public school system;
- Authority for new charter school authorizers and engagement of current authorizers;
- A requirement that a list of school buildings that are managed/owned by school corporations or any subsidiary thereof that are unused and have no specific and timely plans for future use shall be made available to charter schools on a quarterly basis;
- Provisions for sharing proportional shares of local capital funds with charter schools and/or state support for capital funds, as state financial resources permit;

- Contracting or public/private partnership alternatives to allow for alternative school management and other similar arrangements; and
- Exploring proposals that encourage district innovation and consolidation.

Postsecondary Collaboration and Economic Development

The Indiana Chamber Position:

The Indiana Chamber supports the further development of initiatives and incentives to encourage business and higher education to collaborate on issues of mutual interest for the benefit of students and the Indiana economy. This includes higher education and business partnering to skill up the more than 2 million Hoosier adults with less than high school diploma or some college but no degree as well as shared efforts around the development of postsecondary curricula and experiential learning opportunities. The Indiana Chamber supports continued investments in university-based research that will help expand economic opportunities and job growth. The Indiana Chamber also supports policies that ease and encourage commercialization of technology and policies that effectively utilize resources on STEM (Science, Technology, Engineering and Math) and other fields with high demand and/or high economic returns. Moreover, the Indiana Chamber calls for state policy and performance incentives that encourage more intentional and productive collaboration between business and higher education in order to better attract post-secondary students into high-wage, high-demand fields and proactively connect these graduates to corresponding employment and entrepreneurship opportunities in Indiana. These efforts should include, but not be limited to:

1. establishing postsecondary performance funding and graduate retention incentives – for both institutions and individuals – that encourage college graduates to live and work in Indiana (especially in high-demand STEM fields)
2. sustaining regional capacity-building investments with a focus on human capital development and quality of place, including but not limited to the state’s Regional Economic Acceleration and Development Initiative (READI) program, to better attract and cultivate local talent.
3. incentivizing employer investment in work-based learning opportunities, training that culminates in employees earning industry-recognized credentials/degrees and related investments that alleviate workforce barriers related to childcare, housing and transportation.

Postsecondary Efficiency and Flexibility

The Indiana Chamber Position:

The Indiana Chamber supports policies and programs that aid and/or incentivize state institutions to share and maximize the use of resources, including facilities, and to expand statewide and interstate compacts in joint purchasing and shared services. The Indiana Chamber also supports ongoing supply-and-demand reviews of program offerings by the Commission for Higher Education, facilities management, compensation, health care and retirement plans by the individual institutions to ensure optimal efficiency and effectiveness. The Indiana Chamber encourages the state’s institutions to strive towards affordability and to limit tuition increases; however, we oppose the establishment of tuition caps through legislation. The Indiana Chamber further encourages collaboration among institutions and across campuses where demand and opportunities warrant. Programs unique to each institution may be offered on another’s regional or local campus so that such programs are offered where they may be most effective in addressing the objectives of the state.

Postsecondary Mission Differentiation

The Indiana Chamber Position:

The Indiana Chamber supports the continued development of a tiered delivery system in which the state's education institutions focus primarily on their respective core competencies and in which program offerings are designed to meet the state's economic and employment needs. This includes, but is not limited to: elimination of remedial courses at the state's four-year institutions; reliance on adult education and other organizations to address deficiencies in basic skills and to help limit remedial coursework at the community college level; cooperative admissions, counseling and program delivery at the regional level; and increased emphasis on associate degrees and industry-recognized certificates and certifications by Indiana's two-year college system. The Chamber supports the continued development of a regional campus system that maintains the academic integrity of its parent institutions, works in close collaboration with the state's two-year colleges to ensure efficient transfer of student credits and credentials, is highly responsive to regional economic needs and advances the efficiencies and effectiveness of a statewide system.

Postsecondary Pathways to Attainment

The Indiana Chamber Position:

The Indiana Chamber supports policies and programs that acknowledge and engage a broad range of training and education providers, so long as the providers can demonstrate progress towards the state's performance goals. This includes public, private and proprietary colleges, as well as on-line and work-based training. Additionally, the Indiana Chamber supports prior learning assessments, credit for military experience, competency-based advancement and other strategies that can accelerate the educational attainment of adult learners. We also encourage the development of dual credit, dual enrollment, pathways projects and other initiatives to help high school students get a jump-start on their pursuit of workforce credentials.

Postsecondary Reciprocity and Reverse Transfer

The Indiana Chamber position:

The Indiana Chamber supports policies and strategies to allow course credit to be transferable and reciprocal between the state-supported two-year and four-year colleges and universities in Indiana. Moreover, the Chamber supports the expansion of coordinated communication and outreach efforts between Indiana's higher education institutions and the state to increase student awareness and utilization of reverse transfer opportunities statewide.

Postsecondary Productivity and Performance

The Indiana Chamber Position:

The Indiana Chamber supports policies to improve the productivity of our state's higher educational institutions. This includes, but is not limited to: state funding based on performance measures; public reporting of performance results (including job placement and salary data for graduates); increased emphasis on student learning outcomes through the use of student-performance assessments, alignment of data systems between the K-12, postsecondary and workforce development agencies; transparent reporting of postgraduate job placement, wages and employer feedback; and participation in national reporting and accountability programs.

The Chamber also supports the expansion of competency-based education models and recognition for prior learning that enables students to utilize existing knowledge and aptitudes towards their degree programs. These models should have strong definitions of learning outcomes, measurements of student learning and alignment to workforce systems.

Preparation for College

The Indiana Chamber Position:

The Indiana Chamber supports the continuing implementation of K-12 academic standards that are aligned to college readiness and career pathways expectations and affirmed by Indiana's institutions of higher education. Such standards should be accompanied by a statewide assessment system that reflects the standards' complexity, includes rigorous cut scores and provides comparability of results across states. The Indiana Chamber also supports high school course completion requirements that will assure college entry without the need for remediation, regular review of those course requirements, phase out of the general diploma, opportunities for dual credit courses that meet or exceed the learning outcomes of college coursework, and focus on objective measures of student preparation correlated with postsecondary preparation and success (such as Advanced Placement, ACT/SAT, completion of the Indiana College Core and other industry-recognized credentials).

Public Investment***The Indiana Chamber Position:***

The Indiana Chamber acknowledges the current fiscal challenges of our state and its taxpayers but encourages lawmakers to recognize the workforce needs that will be critical to our long-term economic and fiscal health. Accordingly, the Indiana Chamber supports significant new investment in adult and workforce training programs that demonstrate progress towards high need employment demands, including continued public investment as well as incentives for increased private investment and expanded public-private partnerships. These investments should include employer-driven mechanisms, such as training tax credits and on-the-job training incentives; they should engage public/private partnerships; they should include substantial opportunities for training of incumbent workers; and they should result in or be aligned with industry-recognized credentials. The Chamber also supports policies that promote work-based learning opportunities for those in high school and beyond.

School Counseling and Career Coaching***The Indiana Chamber Position:***

The Indiana Chamber supports policies and strategies to improve quality, access and availability of quality college and career counseling services for all students. Among those steps are to:

- Provide school counselors, career coaches, teachers and school leaders with the information, online tools and training necessary to perform their duties, including an awareness of labor market trends and emerging employment opportunities in Indiana's high-wage, high-growth job sectors;
- Offer an online student career counseling portal for students and their parents to access information and conduct high-quality interest and aptitude assessments identifying careers which the individual student might find most fulfilling along with educational paths to each career and insights including demand and compensation;
- Address the additional non-counseling duties being placed on school counselors that detract from time for student engagement;
- Increase transparency and consistency of pre-service training programs for Indiana school counselors with clear competencies for developing meaningful career plans and guiding students through the postsecondary admissions, financial aid and enrollment processes;
- Expand opportunities for Indiana employers, particularly in high-demand, high-wage job sectors, to engage directly with students and teachers to increase awareness regarding the career opportunities in their industries; and
- Develop tools and resources for both K-12 schools and employers that assist them in facilitating meaningful student engagement and work-based learning opportunities with business and industry.

- Establish dedicated career exploration courses (and related experiences) as core expectations for all middle- and high school students.
- Increase regional capacity to coordinate career advising and work-based learning experiences with area employers across school districts and communities.

School Finance Transparency

The Indiana Chamber Position:

The Indiana Chamber supports increases in the school funding formula that equal inflationary levels and adjustments for student population change. The Chamber urges that funding increases beyond these levels should be made only through performance incentives that reward individual teachers, schools and school corporations that demonstrate improvement in their students' academic performance. To promote accountability in the school funding formula, the Indiana Chamber also supports multiple count days and other funding mechanisms that require all dollars – including tuition, categorical programs and federal funds – to “follow the student.”

In addition, the Indiana Chamber supports policies and other strategies allowing schools to shift funds from administrative and overhead costs to provide greater funding directly to the classroom and for teachers.

The Indiana Chamber also supports changes to accounting and financial management practices that will increase flexibility for local spending decisions, increase transparency, enhance local and school-based management decisions, and create greater accountability for reducing overhead and driving more educational dollars to the classroom. Specifically, the Chamber supports a transition from current fund-based accounting to Generally Accepted Accounting Principles (GAAP), with additional indices that will delineate expenditures for instruction (teachers, teacher aides, textbooks, teaching supplies and other classroom-level expenses), instructional support (librarians, counselors, etc.), administration (principals, superintendents, secretaries and other central office staff, food services, insurance, legal services, etc.), and facilities and transportation (construction, debt service, maintenance, utilities, etc.).

Therefore, the Indiana Chamber encourages a thorough review of school financing to ensure that the options made available to and selected by Hoosier families are receiving fair, equitable and timely support for all aspects of their operations, including general support, special needs, facilities and transportation. The Indiana Chamber further supports implementation of a comprehensive transparent school financial accountability system that:

- Provides budget information (expenditures on direct classroom expenditures, administration costs, extracurricular costs and other broad categories of spending broken down) at the school building level. This would also include information on teacher salaries (including years of service, salary bands, performance and retention bonuses) at the school building level;
- Issues a study of current audit process and consideration of external audits (similar to the requirements for charter schools currently); and would also include a study of GAAP accounting practices; and
- Supports independent analyses of school districts' financial condition and opportunities for increased operating efficiency, including shared services and consolidation of administrative functions with neighboring districts, prior to issuing a taxpayer referendum.

School Governance and School Leadership

The Indiana Chamber Position:

The Indiana Chamber supports school governance structures and school leadership that foster efficiency, responsiveness and effectiveness, including (but not limited to):

- a superintendent of public instruction that is appointed by the Governor;
- consolidation of districts with less than 1,500 students whose ISTEP and SAT scores are below statewide averages;
- school boards that are elected in the fall as part of the general elections or are appointed by an elected city or county executive who is directly responsible to that area's voters;
- voter approval of school construction and debt issuance;
- consolidation and/or reduction of central office and district-level administrations;
- state support and additional incentives for consolidated purchasing and other shared operational functions;
- incentives for school and district management to be trained in the fields most directly related to their roles, including financial management, human resources and facilities management; and
- flexibility for school districts to hire superintendents, principals and other school leaders from a wide range of relevant disciplines and experiences, not just those with narrow licensing credentials in education and education administration;
- recruiting, developing, educating, retaining and incentivizing a greater number of leaders in K-12 education; and
- setting priority course-offering standards for school districts with incentives for cross-district collaboration, district consolidation as well as differentiated teacher pay in shortage subject areas.

To address these and other related issues, the Indiana Chamber also encourages the Indiana General Assembly and other state policy leaders to conduct a comprehensive review of school governance and to consider these and other changes to modernize our oversight of K-12 education.

Shared Goal for Indiana's Education and Workforce Systems

The Indiana Chamber position:

The Indiana Chamber encourages the state legislature to formally set attainment goals for postsecondary educational degrees and credentials to 60% of adults in Indiana by 2025. The Indiana Chamber further encourages the state government agencies charged with coordinating Indiana's K-12, higher education and workforce development systems to jointly adopt the 60% postsecondary education attainment goal and to align their strategic plans and collective efforts toward increasing education attainment in alignment with the needs of Indiana employers and the state's economy.

Indiana must attack this challenge at both ends of the education pipeline: strengthening preparation from pre-Kindergarten through postsecondary education and providing expanded pathways for returning adults to upskill and reskill with quality credentials that are valued by industry and advance workforce development.

Statewide System

The Indiana Chamber Position:

The Indiana Chamber encourages the development and implementation of a comprehensive workforce development plan and corresponding state infrastructure that includes:

- Measurable performance goals (focused primarily on job and wage attainment) and accountability for results that span the state's secondary, postsecondary and workforce development systems and maximize the return on investment for both individuals and the state;
- Attention to high-need employment demands, especially STEM fields and attainment of industry-recognized certificates and nationally portable, industry-recognized certifications – including the potential for incentivizing students/professionals into STEM teaching positions;

- Coordination and shared accountability between the state's respective infrastructures for workforce training, economic development, social services, higher education and K-12 (especially secondary schools);
- A seamless and differentiated system of training options to address training needs at all levels;
- Local infrastructures that, with minimal bureaucracy, can direct resources to unique regional employment needs;
- Maximized resources through shared and/or coordinated assets for program delivery;
- A longitudinal data system for tracking and measuring the effectiveness of education and training programs in advancing employment and wages;
- Making this infrastructure (i.e. website) available for employer access to programs;
- Making this infrastructure available for teachers, counselors and parents as a one-stop shopping tool for them to assist students with career training and choices; and
- Providing incentives to employers, education institutions and local organizations to be a part of this infrastructure.

Student Access and Incentives

The Indiana Chamber Position:

The Indiana Chamber supports financial aid and other policies that will assist and incentivize students to complete their degrees on time (four years for BA/BS degrees, two years for AA/AS/AAS degrees and expected time for certificates), to select degree programs with the greatest needs in the workforce and to remain in Indiana following graduation. This includes the awarding of credit for prior learning experiences, stackable credentials, ease of credit transfers, reverse transfer, limits on total credit requirements (120+ for BA and 60 for AA), accelerated degree programs, flexibility for part-time aid (with demonstrable and continuing advancement) and alternative delivery models (online, competency-based, etc.) – so long as these and other such policies do not diminish the quality and competitiveness of their respective programs. The Chamber supports an affordable higher education system not only to decrease student debt but also to allow for the opportunity for recent graduates to enter the workforce unburdened and have the opportunity for investment in entrepreneurial activities and other economic-boosting activities (buying a house, starting a business, etc.) The Chamber also supports the development of a coordinated assessment system – from high school through college placement and career readiness – to better inform students and/or their families, and to help ease respective transitions. The Chamber encourages collaboration between employers and postsecondary institutions to provide opportunity for advancement of employee educational attainment (whether by financial assistance, scheduling, hybrid learning models and/or flexible reimbursement policies).

Student Counseling

The Indiana Chamber Position:

The Indiana Chamber supports policies and strategies to improve quality, access and availability of quality college and career counseling services for all students. Among those steps are to:

- provide counselors with the online tools and training necessary to perform their duties, including effective career-coaching practices, utilization of relevant labor market data and an understanding of Indiana's high-demand industry sectors;
- offer an online student career counseling portal for students and their parents to access information and conduct high-quality interest and aptitude assessments identifying careers which the individual student might find most fulfilling along with educational paths to each career and insights including demand and compensation; and

- address the additional non-counseling duties being placed on school counselors which detract from time for student engagement.

Student Instructional Time

The Indiana Chamber Position:

The Indiana Chamber supports:

- Increases in the minimum length of the school day especially for at-risk students.
- The make-up of snow days or other instructional time canceled for other reasons.
- The elimination of state-imposed time requirements for non-core subject areas.
- Increases in the time schools spend on core academic subjects.
- Increases in the length of the school year through creative uses of technology and community-based resources.

Technology in Schools

The Indiana Chamber Position:

The Indiana Chamber supports greater use of technology for school and classroom management and for the delivery of educational content. The Chamber recognizes that technology acquisition and implementation may require new financial investments – including but not limited to expanded broadband access, digital learning devices and related infrastructure needs – but believes that any such investment can and must be shown to produce greater academic achievement and, in the long-term, greater financial savings. The Chamber also encourages state leadership in the development of joint purchasing and other programs that will increase the efficiency of technology acquisition and implementation.

Workforce Program and Policy Alignment

The Indiana Chamber Position:

The Indiana Chamber of Commerce supports programs and policies – from high school level through college and adult training– that provide intensive, proactive and intentional counseling and career coaching towards the completion of high-demand education and training programs. This includes incentives/rewards for high demand degrees and industry recognized credentials and for better alignment to workforce needs. Additionally, the Indiana Chamber encourages the ongoing evaluation of programs and policies to assure a strong return on investment.

Workforce Training Incentives for High-Need Individuals

The Indiana Chamber Position:

The Indiana Chamber of Commerce supports policies that incentivize individuals – especially those receiving unemployment benefits and/or public assistance, and those incarcerated in or recently released from the state’s corrections institutions—to pursue and complete training programs that will lead to employment. The Chamber encourages better cooperation between the private and public sectors to supply education, training, and credentialing to underserved populations as a means to build upon existing pipelines of talent, innovation and capital development.

Given these challenges and opportunities, the Indiana Chamber supports the following:

- Ensure greater transparency in labor force participation data reporting with aligned performance improvement targets at the state and regional levels for underrepresented, underleveraged workforce populations.

- Create a financial incentive for unemployment claimants who lack a high school diploma to earn a high school equivalency concurrently with a short-term, industry-recognized credential aligned with state workforce needs.
- Consider expanding, if proven effective, this incentive-based approach to unemployment insurance to state UI claimants who have a high school diploma but lack a high-demand, industry-recognized credential that reasonably can be earned within the 26-week span of UI benefits.
- Expand public-private sector collaboration to proactively connect upskilled UI recipients with Indiana employers seeking to hire workers with the requisite industry-aligned skills and credentials.

ENERGY

Energy Policy Principles for a Competitive Business Climate

The Indiana Chamber Position:

Indiana should maintain an energy leadership policy that ensures the state's access to adequate, reliable, affordable, cost-competitive and sustainable energy. That policy position should consider our existing and planned energy infrastructure and should support:

- A diversified, cost-effective fuel mix including clean coal, natural gas, nuclear, wind, solar, storage, biomass, biofuels and North American petroleum;
- Investment in new, cost-effective, energy technologies, including development and deployment of new dispatchable zero- and very low-carbon technologies such as carbon capture, new nuclear, hydrogen and advanced storage, as well as the expansion of customer-owned generation including, among other resources, cogeneration, micro grids and small-scale distributed generation, which takes advantage of the load adjustment capabilities of customers;
- A balanced regulatory framework that aligns the interests of energy users and the energy industry, promotes a diverse, reliable and cost-effective energy supply and fairly allocates the costs of energy among energy users;
- A stable investment climate that promotes cost-effective investment, provides regulatory certainty and ensures permitting decisions for energy and fuel sources are grounded in fact and science. This should be designed to prevent onerous and capricious zoning restrictions;
- Cost-effective energy efficiency and conservation; Federal and state environmental legislation and regulations that do not impair Indiana's energy competitiveness both in the United States, as well as internationally; and
- A transition plan that maintains reliability of the electric grid.

ENVIRONMENT/Air Quality

Excess Liability Trust Fund

Indiana Chamber Position:

The Chamber supports fundamental and transformational changes to IDEM's implementation and administration of Indiana's Excess Liability Trust Fund (ELTF) which pays for the cleanup of leaking underground and above-ground storage tanks. These changes are needed to protect the longevity of the ELTF.

IDEM Air Permitting Regulation Updates/Fixes

The Indiana Chamber Position:

IDEM's air permitting regulations should be revised to reduce administrative burdens on smaller sources. The existing rules create too many opportunities for small businesses to inadvertently violate the rules because of arcane and inconsistent requirements in the rules.

National Ambient Air Quality Standards (NAAQS)

The Indiana Chamber Position:

The Chamber recommends that the Governor and IDEM include in nonattainment designation submittals to the U.S. Environmental Protection Agency information that make sulfur dioxide, 8-hour ozone and PM_{2.5} nonattainment area recommendations consistent with sound science.

ENVIRONMENT/General

Compliance Assistance

The Indiana Chamber Position:

The Chamber supports the expansion of effective environmental compliance assistance functions in state agencies with specified performance standards and accountability.

Permit Fees

The Indiana Chamber Position:

The Chamber is opposed to any environmental permit fee increases unless the fee is authorized by law and a need is demonstrated and justified by IDEM. Fee increases need to be dedicated to improving the ease, speed, accuracy, and performance of the state in administering its environmental permitting duties.

Permit Appeals Process

The Indiana Chamber Position:

The Chamber supports simplifying the process for appealing permitting decisions before the Office of Environmental Adjudication (OEA). Permit appeals should be processed based on the Indiana Department of Environmental Management's (IDEM's) submission of the record before it at the time the permitting decision was made, which avoids lengthy discovery and an in-person hearing. Those who challenge permits should be required to assert any objections during the public notice process. OEA environmental law judges should not be allowed to consider arguments or other matters not before IDEM at the time the permit was issued.

ENVIRONMENT/Solid Waste

Beneficial Use of Waste or Byproducts

Indiana Chamber Position:

Impediments to the effective recovery and reuse of materials and energy from processes need to be identified and minimized or removed. Meaningful programs to evaluate the beneficial recovery and reuse of byproducts need to be expeditiously embraced and marketed. As new technologies arise to broaden the scope of usable byproducts, those must be embraced. Priority should be given to the creation of incentive programs and the ease of beneficial reuse. The goal of these efforts is to reduce materials that would otherwise be managed as solid waste.

Biomass Should Be Recognized as Carbon Neutral

Indiana Chamber Position:

Legislation should be adopted to promote the use of biomass as a renewable and carbon neutral fuel source. Energy produced from biomass should be considered renewable and carbon neutral. Biomass fuel includes forestry, scrap tires, resonated wood, coal refuse, construction and demolition wood, and creosote-treated railroad ties.

Good Character for Solid and Hazardous Waste Permits

The Indiana Chamber Position:

The Chamber supports repeal of the “Good Character” law that applies to commercial entities seeking solid and hazardous waste permits. If not repealed the law should be revised to apply only to entities seeking their first permit in the state of Indiana. The law should not apply to renewals, major modifications or persons who have a known operating history in the state of Indiana.

Managing Coal Combustion Residuals

Indiana Chamber Position:

The Chamber believes the Indiana Department of Environmental Management (IDEM) should continue to move forward with the Coal Combustion Residuals (CCR) State Permit Program rulemaking dealing with the closure of CCR surface impoundments and landfills. The program – which takes the place of a federal effort – should be consistent with Indiana law pertaining to the Indiana CCR Permit Program which requires it to be no more stringent than the federal CCR rule provisions that were adopted into law by the Indiana General Assembly during its 2023 legislative session.

Release of Responsible Parties After Completion of Post-Closure Care at Superfund and Hazardous Waste Sites

The Indiana Chamber Position:

The Chamber supports the formalized release from liability when a closed Superfund site or hazardous waste site reaches the end of its 30-year post-closure care period and all requirements established by applicable laws, regulations and agreements with the U.S. Environmental Protection Agency (EPA) and IDEM have been met. A certificate of completion should be issued and the responsible party/parties should be released from further obligations regarding the site.

Solid Waste Management Districts

The Indiana Chamber Position:

The Chamber supports the prudent handling of our state’s solid waste and the development of plans to ensure continued environmentally sound and economically sensible disposal options. The solid waste management districts’ (SWMDs) focus should be limited to education and coordination in achieving this goal. If they are not able to demonstrate this focus, their funds and activities should be turned over to existing governmental bodies.

Viability of Local Emergency Planning Committees

The Indiana Chamber Position:

The local emergency planning committee (LEPC) system in Indiana needs to be strengthened and supported by IDEM, the State Emergency Response Commission, and the Indiana State Department of Health (ISDH).

ENVIRONMENT/Water Quality

Antidegradation Policy and Implementation Procedures

The Indiana Chamber Position:

The Chamber supports the protection of our valuable water resources while maintaining a strong, vibrant economy. Federal law requires states to develop antidegradation policies to preserve water quality. Depending upon the details of state implementation procedures, antidegradation policies can impose severe constraints on economic development with virtually no corresponding public health or environmental benefit. The former Water Pollution Control Board adopted a new statewide antidegradation rule in 2012 which contains numerous ambiguous provisions and raises concern for unpredictable and overly stringent implementation. IDEM has indicated that it will develop guidance to help clarify ambiguous provisions of the new rule. The Chamber urges IDEM to develop this guidance with input from a broad spectrum of stakeholders after a thorough review of the new rule is conducted to identify topics in which guidance is critical, including elimination of any blanket anti-backsliding policies as they relate to permit limits. Moreover, the possibility exists that guidance alone will not be adequate to resolve all ambiguity in the new antidegradation rule and, in such an event, the Chamber suggests that the ERB should be asked to develop revisions to the rule to address any significant deficiencies.

Clean Water Act 316(a) Thermal Variances

The Indiana Chamber Position:

The Chamber opposes IDEM's issuance of a non-rule policy document that dictates extremely onerous biological studies in order to obtain or renew an existing variance for thermal discharges. (In most cases, these variances currently apply to existing dischargers.)

Cooling Water Intake Structures

The Indiana Chamber position:

IDEM should apply as much flexibility in the implementation of the impingement and entrainment standards as permitted under the federal 316(b) rule, including flexibility in defining the extent of studies required to make a best technology available (BTA) determination.

The EPA issued its Clean Water Act 316(b) rule for facilities with existing cooling water intake structures in August 2014. The rule requires EPA and state agencies with NPDES authority – such as IDEM – to impose technology-based standards to protect aquatic organisms from mortality due to impingement on intake structures or entrainment within the cooling water system.

CSO/Wet Weather Issues for Municipalities

The Indiana Chamber Position:

The Chamber supports the correction of Combined Sewer Overflows (CSO) and improvement of wet weather water quality. In particular, the ERB must revise use designations to allow temporary discharges for each community with an approved Long-Term Control Plan that will result in a certain frequency of raw sewage discharge to surface water after the project is completed. While promoting an overall and continued cleanup of our waters, the program should be based on cost-effective protection of public health. If a use attainability analysis (UAA) is necessary, it should be done in conjunction with the development of the early stages of a long-term control plan so that the results of the UAA, if approved, can be reflected in the final long-term control plan.

– Direct Small Business Impact –

Designated Uses of Indiana Water

Indiana Chamber Position:

IDEM should develop a range of use and partial-use categories that are adequate to characterize realistic uses for Indiana's diverse water segments. IDEM then should conduct a systematic review of Indiana waters to designate uses that can reasonably be expected to be achieved in each water body. To the extent necessary, to implement this refinement of designated uses for Indiana waters, IDEM should be directed to support and participate in the development of use attainability analyses as defined under federal law.

Drought Response Plan

The Indiana Chamber Position:

The state should develop a drought response plan with a priority-use schedule.

Mercury Variances

The Indiana Chamber Position:

The Chamber supports IDEM's ability to grant mercury variances if a discharger demonstrates exceedance of the standard.

Nutrient Policy

The Indiana Chamber Position:

Excessive nutrient loading in certain Indiana waters and downstream waterbodies is a challenge that cannot be addressed by establishing a water quality standard which is designed for pollutants. The state government must use practical technology-based and best management approaches guided by sound science and not a water quality standard-based approach which is designed for toxic pollutants – not nutrients.

Review of Water Quality Standards

The Indiana Chamber Position:

The Chamber supports the revision of Indiana's water quality standards when consistent with sound science and reasonable public policy objectives. For most criteria in waters outside the Great Lakes Basin, serious review of the current science to support criteria has not been performed since the adoption in 1990 despite federal law mandating a three-year review cycle. As a result, substances such as iron, nickel and aluminum have ad hoc values used by IDEM that are more conservative than current science justifies.

Septic System Policy

The Indiana Chamber Position:

The Chamber supports a comprehensive study for a reorganization of the Indiana state government authority and responsibility for septic systems.

Total Maximum Daily Load (TMDL) for Waterways

The Indiana Chamber Position:

The Total Maximum Daily Load (TMDL) program will greatly influence Indiana water quality policy for many years. It is critical that the program be focused, flexible, founded on sound science and adequately funded

and staffed. The Chamber supports IDEM's efforts to conduct TMDLs on those waters that are properly identified as "impaired." IDEM should carefully evaluate the quality of the water data used to declare a water body as "impaired" in order to ensure an impairment designation.

Water Quality Trading

The Indiana Chamber Position:

The Chamber supports IDEM's development of a flexible, cost-effective state/federal water quality trading program that integrates local, state and regional water quality trading programs whenever appropriate and allowed. The trading program should not impose any new discharge reduction requirements.

Wetland Management

The Indiana Chamber Position:

The Chamber supports a 401 water quality certification program that focuses specifically on water quality issues. The IDEM 401 certification program should not duplicate the Corps of Engineers wetland mitigation procedures or any other aspect of the 404 permit and should not address issues not related to Indiana's water quality standards.

GOVERNMENT SIMPLIFICATION

Government Regulation and Efficiency

The Indiana Chamber Position:

The Indiana Chamber of Commerce supports efforts to:

- simplify government to best serve the taxpayers of Indiana;
- improve the quality and professionalism of the individuals performing important aspects of government;
- reduce the burden of government regulation on the business community and the public;
- improve the efficiency of government at all levels, including schools;
- bridge county government budget gaps and tax caps by enacting binding budget review at the county level to allow better budget decisions within the counties;
- implement recommendations of the Indiana Commission on Local Government Reform (Kernan-Shepard Commission) to significantly improve performance measures such as efficiency, cost, quality, service and speed; and
- ensure compliance with all applicable Indiana laws and reporting requirements regarding local government activities.

HEALTH CARE

Emerging Technologies

The Indiana Chamber Position:

The Indiana Chamber supports the use of interactive audio, video and electronic media as well as any new and emerging technologies that are used as a means of providing health care services for medical exams, consultation and evaluation.

Government Cost Shifting to Private Payers

The Indiana Chamber Position:

The Chamber opposes state Medicaid and Medicare cuts in reimbursement to health care providers where it causes cost shifting that raise private payers' costs or reduces the availability of quality health care. In addition, the Chamber supports state Medicaid and Medicare increases if accompanied with program reforms and presuming such increases do not create a substantial fiscal burden on the state's budget.

Health Care Access***The Indiana Chamber Position:***

The Indiana Chamber believes the Indiana General Assembly should examine the scope-of-practice laws that govern mid-level providers and determine whether policy changes could facilitate a safe increase in primary care practitioners.

Health Care Performance Data***The Indiana Chamber Position:***

The Indiana Chamber supports initiatives, including legislation, to promote broader consumer and employer access to health care performance and pricing data. In addition, we support the highest degree of transparency possible from all vendor partners involved in health care for their employees in order to make the best decisions on plan design.

Health Care Reform***The Indiana Chamber Position:***

The Indiana Chamber believes that the principles of the free market should be the driving force in reforming and operating our health care system. The system must be able to deliver consistent quality, in the form of improved outcomes, as well as increased access to competitively priced health care services.

The Indiana Chamber supports and will defend:

- The establishment of voluntary employer purchasing initiatives where small employers might band together to purchase medical goods and services at reduced rates. The Chamber does not support "pooled experience" of small employers because such pools are unstable.
- New and innovative contracts such as Direct to Employer contracts between providers and employers that promote value over volume and better outcomes for employees' health.
- Improvements in access to health care and provider performance and pricing data. The Chamber approves of the standardization of health care provider data to provide employers and consumers with reliable cost and quality information upon which health plan and provider selection decisions can be made.
- Improvements in access to cost and claim data held by all vendor partners and other participants in the health care system.
- Streamlining and standardizing of forms and procedures to ensure health plan efficiency.
- Tax equity for self-employed and small employers.
- Retention of consumer driven health care plans including, Medical Savings Accounts, Health Reimbursement Arrangements, Health Savings Accounts and other defined contribution health plans.
- Retention of a good medical malpractice law.
- Increased utilization of managed care principles in tax-supported programs.
- ERISA's preemption of state laws.

- Collaborative efforts among providers which benefit purchasers of health care, including education for employers on the types of questions that they should be asking their brokers, plans and providers.
- An employer's right to design and implement wellness initiatives and disease management programs.
- The Indiana Department of Education providing a higher level of emphasis on physical fitness, health and wellness in Indiana schools as well as public health infrastructure in general.
- Increasing access to health care through initiatives that reduce the number of uninsured Indiana residents, provided that such initiatives do not hinder economic growth and development within our state.

The Indiana Chamber opposes:

- Government action, including regulatory action, causing the escalation of health care costs.
- Creation of new entitlement programs.
- Employer mandates in any form, including expansion of COBRA obligations.
- New employer taxes for health care (direct or through reduced deductions).
- Restricting small employers' right to self-fund.
- Restrictions on managed care programs.
- Governmental price controls.
- Cost shifting by government to the private sector.

– *Direct Small Business Impact* –

Health Information Privacy

The Indiana Chamber Position:

The Indiana Chamber supports legislation that strikes the appropriate balance between the protection of individuals' personal health information and the preservation of employers' ability to obtain information necessary to make informed health care plan and wellness program decisions and to allow employers to assist those employees requesting assistance in dealing with employer-provided health plans. Employers should have full access to claim information in order to effectively negotiate with insurance companies at health plan renewal time. In such cases, employers should have effective procedures in place to protect such information from misuse.

Legalization of Marijuana

The Indiana Chamber Position:

The Indiana Chamber opposes the legalization of marijuana in any form for recreational use. The Chamber opposes the legalization of botanical marijuana for medical or therapeutic use, until a time when its efficacy and safety have been proven consistent through clinical trials. The Chamber supports the use of isolated components of marijuana, cannabinoids or similar extracts for solely medicinal purposes if approved by the Federal Drug Administration (FDA) for specific illnesses and diseases.

Maintain the Integrity of Health Insurance Networks

The Indiana Chamber Position:

The Indiana Chamber opposes legislative efforts that could weaken or destroy health care networks that negotiate on behalf of employers, individuals and other private payers with medical providers to provide health care at reasonable rates. One example of such legislation would be assignment of benefits, the practice by which insurers would be compelled to make reimbursements directly to out-of-network

medical providers, eliminating much of the incentive for providers to agree to reduce rates to join a network.

Mandated Health Care Benefits

The Indiana Chamber Position:

The Indiana Chamber opposes legislative health care mandates that increase the cost of small employers to provide health insurance benefits to their employees. This would include requiring employers to offer a health benefit plan to employees or to allocate a designated amount of resources to the provision of a health benefit plan. Health insurance benefit mandates requiring the coverage of a particular health care service or type of treatment not only impede the ability of market forces to work freely, but also reduce the availability and affordability of health care benefits by eliminating employers' ability to craft and design health care plans that suit the individual needs of their employees. Similarly, broad-scale mandates requiring employers to provide a health benefit plan or to allocate a designated portion of resources to the provision of a health benefit plan is a deterrent to economic growth and development in that punitive measures of this kind have the effect of inhibiting the creation of new jobs by employers, while also placing existing jobs within affected regions in jeopardy. Finally, the Chamber is concerned that mandates may have the unintended consequence of reducing the number of individuals covered by plans, either because the employer cannot afford to meet higher premium costs incurred by mandates or because employees are required to cover more of those costs on an out-of-pocket basis. Though the Chamber is supportive of the notion that all employers should strive to provide a health benefit plan to their workforces, the Chamber believes that the decision of whether to provide a plan, as well as plan selection decisions are best left to each individual employer.

Opioids

The Indiana Chamber Position:

The Indiana Chamber supports aggressive policies that limit the supply of opioid prescriptions. The Chamber also supports policies that encourage employer education and expand access to evidence-based substance use disorder treatment services and recovery supports.

Strategies to Reduce Smoking

The Indiana Chamber Position:

The Chamber supports an increase in the tobacco tax with those resources used to target smoking reduction and cessation programs to the budget levels recommended by the Centers for Disease Control and Prevention (CDC). Any additional resources should be designated for state health-related budget expenses and should not be used for general revenue purposes.

Tobacco Reform

The Indiana Chamber Position:

The Indiana Chamber supports a total ban on smoking in the workplace.

Tobacco Use by Employees

The Indiana Chamber Position:

The Indiana Chamber believes that all employers should have the right to choose whether or not to screen and/or hire prospective employees that use tobacco products. The Chamber also believes that the smoker's bill of rights for "prospective" employees should be repealed from the Indiana Code.

HUMAN RESOURCES

Criminal History Expungement

The Indiana Chamber Position:

The Indiana Chamber supports reasonable and limited efforts to expunge inaccurate or older criminal records for lesser offenses to allow workers a second chance for employment and a productive life.

Employee Monitoring/Surveillance

The Indiana Chamber Position:

The Indiana Chamber believes that an employer should have the right to engage in the monitoring/surveillance of the communications and activities of employees in appropriate work environments.

Employment Discrimination Legislation

The Indiana Chamber Position:

The Indiana Chamber believes that existing legal remedies more than adequately protect the rights of employees to be free from discrimination and, therefore, the Chamber opposes the imposition of additional liability under current statutes. The Indiana Chamber supports the availability of informal complaint resolution procedures to settle issues quickly and fairly without litigation.

Family and Medical Leave Act

The Indiana Chamber Position:

The Chamber opposes any expansion – such as lowering the employee threshold, providing paid leave through use of funds from Indiana’s Unemployment Trust Fund or through a new tax on employers – or enhancement by the Indiana General Assembly of the Family and Medical Leave Act, as it is unnecessary and would prove more burdensome and economically challenging to businesses as they strive to compete in the global marketplace. The Chamber opposes further legislation to provide paid family medical leave benefits. The Chamber does support Indiana’s military leave law.

Firearms in the Workplace

The Indiana Chamber Position:

The Indiana Chamber supports repealing Indiana’s “bring your gun to work” law. Additionally, the Chamber will oppose legislation that further erodes the employer’s right to adopt and enforce a policy or rule that prohibits or has the effect of prohibiting an individual from legally possessing a firearm on the employer’s property.

Freedom to Contract in Employment

The Indiana Chamber Position:

The Chamber opposes any legislation or regulation that prohibits employers and employees from entering into contracts in the private sector. This includes, but is not limited to, covenants not to compete (non-competes) and non-disclosure agreements.

The Chamber recognizes the limitations that the court systems have put upon these types of agreements through judicial decisions, such as time, geographic restrictions and scope. However, the Chamber opposes any proposed legislation that goes beyond the already established regulation of contracts between employers and employees.

Mandated Human Resources Policy

The Indiana Chamber Position:

The Chamber opposes any legislation or regulation that mandates human resources policy in the private sector. As a condition precedent to the contemplation of proposed employer mandates, the Chamber supports legislation to require an independent analysis of the direct and indirect costs – including all costs of administration – to employers and to employees. This analysis should be presented to the General Assembly before a mandate can be considered.

INFRASTRUCTURE AND TRANSPORTATION

Aviation Infrastructure Investment

The Indiana Chamber Position:

The Indiana Chamber supports the strengthening of Indiana’s aviation infrastructure and network of airports throughout the state as a means of enhancing economic development and establishing a truly interoperable, intermodal transportation network. Specifically, the Chamber calls for an end to diversions from the current state sales tax on aviation-related activities in order to create a dedicated aviation funding stream that will, at minimum, match federal grant monies available to maintain and improve this critical infrastructure. Any state funds generated from the aircraft license excise tax or sales tax on aviation fuel or capital investment-related activities should be segregated from the state’s General Revenue Fund and deposited into a newly created Aviation Account. This account shall be used to maximize federal funding and to pay for projects that provide the highest economic return for aviation projects across the state. The Chamber is opposed to any legislation which would diminish the long-term viability of Indiana’s airports.

– *Direct Small Business Impact* –

Communications Infrastructure

The Indiana Chamber Position:

The Indiana Chamber supports policies that facilitate the development of advanced communications networks essential for business operations and economic growth. Broadband infrastructure is a cornerstone for a modern, innovative economy. Expanding communications capabilities can spur entrepreneurial endeavors, stimulate local businesses and attract new industries to Indiana. The Indiana Chamber believes that free markets, with minimal government interference, are best equipped to foster innovation and deliver value.

The Indiana Chamber supports for “Dig Once” policies, which streamline infrastructure development by coordinating the installation of broadband conduits during other construction projects. Open-access policies are also endorsed as they allow multiple service providers to utilize the same infrastructure, thereby fostering competition and enhancing service quality for businesses.

– *Direct Small Business Impact* –

Mass Transit and Passenger Rail Investment

The Indiana Chamber Position:

The Indiana Chamber acknowledges the need for the strategic study and deployment of mass transit and passenger rail systems in appropriate communities and regions throughout the state.

The Chamber supports continued investigation of mass transit alternatives and funding mechanisms driven by regional organizations and municipal governments. Municipal governments and regional or supra-regional authorities must take the lead in the study, planning and financing of any mass transit or

passenger rail projects with local dollars and fares/user fees supporting the enterprise. Any such project must demonstrate significant return on investment and public support while functioning without operating (vs. capital) subsidies.

The Chamber opposes any attempt to reprogram or divert existing state or federal transportation funding to mass transit projects.

Railroad Infrastructure Investment

The Indiana Chamber Position:

The Indiana Chamber supports the strengthening of Indiana's freight rail network through the continued support of the INDOT Industrial Rail Service Fund and infrastructure investment tax credits to encourage continued private investment in freight railroad infrastructure and investment in large-scale intermodal facilities in appropriate locations around the state.

The Chamber also supports ending diversions from the current state sales tax on rail-related activities in order to create a dedicated rail funding stream that will, at minimum, maintain and improve this critical infrastructure. Any state funds generated from the sales tax on rail-related fuel or capital investments should be segregated from the state's general revenue fund and deposited into a newly created rail account. This account shall be used to provide the highest economic return for rail projects across the state.

The Chamber is opposed to legislation which would diminish the long-term viability of the freight railroad network by restricting further private investment and supports prudent measures to preserve older rail beds and rights-of-way for future use (including potential passenger or light rail).

– *Direct Small Business Impact* –

Roads and Highways Infrastructure Investment

The Indiana Chamber Position:

The Indiana Chamber supports continued investment in Indiana's highway network and upgrading existing major transportation arteries, such as completing I-69 and U.S. 31, turning U.S. 30 into a limited-access highway, as well as the development and construction of projects to improve commerce, logistics and safety such as the I-69 Ohio River Crossing, S.R. 101 extension in southeast Indiana, and U.S. 231 improvements in southwest Indiana. The Chamber supports the state taking the necessary steps to increase funds for adequate care of its roads and highways, increase the capacity of existing roadways, and to match and fully leverage all available federal funds.

Included in the comprehensive road funding legislation that passed in 2017 was a provision to index the gasoline and diesel taxes. During the 2023 legislative session, legislation passed to extend the indexing of gasoline and diesel taxes to 2027. The Chamber supports the continuation of the indexing factor as a permanent provision in the calculation of applicable fuel tax rates, so that revenues keep pace with inflation and provide a stable, predictable source of funding. The Chamber further supports maintaining reasonable index fees for electric, hybrid and alternative fuel vehicles.

As Indiana continues to maintain and improve its highway network, there may be opportunities for the state to enter into public-private partnerships to complete certain projects. The Chamber believes that all dollars generated from any future leases or amendments of existing leases should be used exclusively for road construction projects. The Chamber also supports diligent pursuit at the federal level of continued funding for the Highway Trust Fund as these federal funds remain critical to improving the state's transportation infrastructure.

In the 2013 legislative session, the Indiana General Assembly removed the diversion of state fuel excise tax funds to the Indiana State Police and the Bureau of Motor Vehicles in the biennial budget. The Chamber supports the continuation of this policy in all future budgets, as well as ending any remaining diversions. Fuel excise tax funds, sales tax on fuel and vehicle registration fees should be used for highways and bridges construction, maintenance and operations only, and be segregated from the state's General Revenue Fund, flowing directly into the Motor Vehicle Highway Account.

The Chamber supports the initiatives included in House Enrolled Act 1002-2017 to implement tolling. In situations where commercial tolling is being considered, there should be a demonstrated cost benefit such as reduced transit times, increased capacity or reduced congestion. All revenues derived from tolling should be used exclusively for road construction projects.

In the long term, the Chamber recognizes the changing technologies and fuel systems in modern trucks and automobiles will present challenges to current infrastructure funding policies, e.g., all-electric or hybrid vehicles and alternative fuel vehicles, such as those powered by natural gas. In order to maintain the long-term viability of the state's surface transportation network, policymakers must consider new forms and sources of revenue to accommodate these engineering innovations and technological changes. Examples of potential new policies could include the following: new wheel or axle taxes; or a transition away from fuel-oriented taxes and revenues to a system based upon vehicle type and mileage traveled (VMT). In each instance, the Chamber supports a "user fee" model as articulated in its *Indiana Prosperity 2035* strategic economic development plan.

Utility Infrastructure Investment

The Indiana Chamber Position:

The Indiana Chamber believes that a sound utility infrastructure system – including electric and gas power generation/distribution/ transmission and water supply and water treatment – is vital to safe, reliable delivery of essential utility services to Indiana businesses and citizens. Furthermore, because businesses and consumers statewide rely on Indiana's essential utility services, the Chamber recognizes the importance of equipping utilities with the tools necessary to maintain system integrity and comply with state and federal regulations. The Chamber supports practical state policies and cooperation from relevant state agencies to promote investment in critical utility infrastructure while maintaining adequate, reliable and affordable services.

Waterborne Commerce and Infrastructure

The Indiana Chamber Position:

The Indiana Chamber supports strategic, timely investments and maintenance of the state's international commercial ports and other infrastructure associated with the Great Lakes, Ohio River Basin and Mississippi River Basin shipping. Such investments include but are not limited to: 1) adequate dredging and break water maintenance to maintain accessibility and efficient operations of Indiana's ports and waterways; 2) construction and redesign of navigational locks and dams and related infrastructure; and 3) intermodal freight connectors (e.g., rail spurs and yards) associated with commerce at, or near, Indiana's port facilities.

The Indiana Chamber encourages public-private partnerships (P3s) and the use of all available federal funds and resources in order to make these critical investments. The Chamber also supports ending diversions from the current state sales tax on waterways-related activities and any state funds generated from fees collected on registered boats on the Great Lakes and Ohio River in order to create a dedicated waterways funding stream that will, at minimum, help maintain and improve this critical infrastructure. Any state funds generated from the sales tax on waterways-related capital investment activities should be segregated from the state's General

Revenue Fund and deposited into a newly created Waterways Account. This account shall be used to provide the highest economic return for waterways projects at our public ports on the Great Lakes and Ohio River.

Water Infrastructure

The Indiana Chamber Position:

The Indiana Chamber supports significant investment in Indiana's water infrastructure. Safe, affordable and reliable water supplies are critical for the health, safety and economic development of the state of Indiana.

The Chamber appreciates the legislative initiative in 2019 to provide additional funding for Indiana's water infrastructure and policy reforms to ensure the best possible use of those funds. We encourage the Legislature to monitor the leveraging capability of the funds provided and evaluate the need for additional state funding in future years in order to meet the infrastructure needs of Indiana's communities. We also ask that the following principles are kept in mind.

- Immediate funding for the needed repair or improvements in infrastructure cannot be borne by just the rate payers, so a combination of funding sources is a prudent way to approach the gap. The funding source(s) should be long term, stable and dedicated.
- New funding streams should be utilized only after exhaustion of existing funding streams. All funding streams should be structured in a way to be accessible to all types of water providers, including drinking, storm and wastewater, as well as public and private organizations. Any new funding package passed into law must be dedicated to addressing long-term water infrastructure needs.
- There should be no diversions of dedicated water funding, either at the state level or from local water receipts. Fees paid by users should be expended as described to the rate payers.
- Finally, a comprehensive assessment of water resource needs across the state, encompassing not only drinking, storm and wastewater systems, but also adequate water resources to support business processes and economic development is needed.
- The Chamber supports the development of financial incentives and economic policies that would catalyze necessary investments in water infrastructure.

The Chamber asks that the Indiana General Assembly continue to appropriate funds for these water projects in each budget year. In addition, the Chamber believes that the Legislature should follow up on its work on stormwater funding by determining and appropriating adequate amounts for improvements to the stormwater systems in the state.

LABOR RELATIONS

Collective Bargaining for Public Employees

The Indiana Chamber Position:

The Indiana Chamber believes that public employee collective bargaining is not in the best interest of the vast majority of Hoosiers.

Drug-Free, Employable Workforce

The Indiana Chamber Position:

The Indiana Chamber supports policies that help build a drug-free, employable workforce for Indiana employers. This includes policies that assist employers in the retention of workers throughout intervention,

treatment and recovery, and also the promotion of evidence-based prevention practices to ensure an able-bodied and drug-free future workforce.

Employment At-Will

The Indiana Chamber Position:

The Indiana Chamber supports Indiana's doctrine of employment at-will.

Local Government Intrusion Imposing Labor Peace Agreements

The Indiana Chamber Position:

The Indiana Chamber supports legislation prohibiting local units of government in Indiana from passing labor peace ordinances.

Local Government Wage-Setting

The Indiana Chamber Position:

The Indiana Chamber supports legislation to prohibit local units of government from enacting ordinances specifying the wage, paid leave or employee benefits levels that must be provided by private companies.

– *Direct Small Business Impact* –

Local Preemption on Labor Issues

The Indiana Chamber Position:

The Indiana Chamber opposes the enactment or expansion of local labor ordinances that are more restrictive than federal or state laws currently allow.

Mass Picketing and Unlawful Picketing

The Indiana Chamber Position:

The Indiana Chamber supports legislation to restrict mass picketing that blocks ingress and egress from or to a workplace and also prohibits picketing at private homes. In addition, the Chamber supports measures that provide injunctive relief and amend state harassment laws to include unlawful picketing, trespassing, concerted interference with a business and engaging in secondary boycotts.

Paycheck Protection

The Indiana Chamber Position:

The Indiana Chamber supports requiring annual written consent (revocable at any time) before any union dues are deducted from a worker's paycheck for any purpose. In addition, for public employees, dues – in particular that portion that pays for political activities – should not be deducted at all by a taxpayer-funded political subdivision.

Project Labor Agreements (PLAs) and Responsible Bidder Ordinances (RBO)

The Indiana Chamber Position:

The Indiana Chamber believes that PLAs and RBOs are not in the best interest of the vast majority of Hoosiers. Taxpayer-financed construction projects must be open to competition among all qualified bidders regardless of their labor policies or the collective bargaining choices of their employees.

Secret Ballot – Constitutional Amendment

The Indiana Chamber Position:

The Indiana Chamber supports a state constitutional amendment to guarantee secret and in-person ballot elections for union organizing.

State Government Wage-Setting

The Indiana Chamber of Commerce Position:

The Indiana Chamber opposes legislation that would have the Department of Labor survey all private sector job categories and establish wage minimums below which employers would be subject to litigation if they paid less than the established minimum.

– *Direct Small Business Impact* –

Striker Replacements

The Indiana Chamber Position:

The delicate balance between the rights of labor and management that has existed since 1938 should not be disrupted. The Chamber supports the employer's right to replace striking workers.

Unemployment Compensation

The Indiana Chamber Position:

The Indiana Chamber supports continued reform to the state's unemployment insurance system. Specifically, the Indiana Chamber supports the following unemployment compensation reform provisions:

- Authorizing and funding the drug testing of all unemployment insurance claimants
- Ensuring in-person administrative law judge hearings are taking place when desired by employers
- Employees must make themselves available for work and be required to report to the Department of Workforce Development (DWD). Employers are able to obtain a valid work refusal from employees
- Employees should not be allowed to create and submit false employers and addresses for employer notification

Unemployment Compensation – Incentivize Reduction of Beneficiaries Through Tax Credits

The Indiana Chamber Position:

The Indiana Chamber supports enactment of an employer tax credit to the employer's unemployment insurance experience account for rehiring workers currently drawing Indiana unemployment benefits.

Unemployment Compensation – Trust Fund

The Indiana Chamber Position:

The Indiana Chamber supports maintaining an unemployment insurance (UI) compensation trust fund balance that meets its claim obligations both during positive economic times and during downturns. Maintaining a balance that may serve to avoid any further loans from the federal government would be in the best interests of all Indiana employers.

Unemployment Compensation – Work Sharing

The Indiana Chamber Position:

The Indiana Chamber supports legislation authorizing work sharing – a voluntary cost-equivalent alternative to traditional unemployment benefits that is being used in 26 other states.

TAX AND PUBLIC FINANCE

Business Real and Personal Property Taxation

The Indiana Chamber Position:

The Indiana Chamber supports:

- A property assessment system for real property that is consistent with the Supreme Court decision in the Town of St. John case and does not unduly shift property tax burdens to business property.
- Reasonable controls on levy increases by local units of government tied to assessed value and economic growth.
- The consolidation of property assessment responsibilities to highly qualified county assessors and their agents
- A fair, equitable and transparent system of property assessment and taxation for all types of property.
- Eliminating or reducing business personal property taxes.
- Maintaining annual adjustments to real property assessments.
- Fair personal property tax audit procedures structured to avoid rewarding contracted consultants for untimely or unwarranted claims.
- Placing reasonably structured user fees, tied to the costs of local government services provided, on exempt properties as a means of reducing property tax burdens.
- A property tax system governed, administered and managed under a uniform set of standards, through a common, integrated database, which assures accessibility, visibility and consistency of assessments throughout the state.
- A system that clarifies the role, responsibility and accountability of all assessing officials, centralizes oversight and enforcement authority with the Department of Local Government Finance, and provides the department with the resources and staff necessary to assure proper implementation of the assessment rules and standards.
- Transparency in the disclosure of local government revenues, expenditures, debts and obligations to ensure accountability, foster public trust and promote informed decision-making at all levels of governance.
- A robust, fair and transparent appeals process that safeguards the due process rights of taxpayers, ensuring their concerns and disputes regarding taxation are heard, respected and justly resolved.

The Indiana Chamber opposes:

- Excessive deductions that disproportionately shift the property tax burden of homeowners to business taxpayers.
- Business personal property taxation.

– *Direct Small Business Impact* –

Combined Reporting

The Indiana Chamber Position:

The Indiana Chamber is opposed to mandatory unitary combined reporting (MUCR) that tasks businesses with operations in multiple states with adding together all net income for one report.

Corporate Taxation

The Indiana Chamber Position:

The Indiana Chamber is determined to continue working towards preserving and promoting positive changes to the Indiana property and business tax laws. The Chamber's goal is to maintain and build upon a positive business tax climate and work with interested parties to achieve that goal in order to improve quality of life in Indiana.

Indiana Tax Court

The Indiana Chamber Position:

The Indiana Chamber opposes any substantial change to the structure of the Indiana Tax Court as an independently operating judicial court of special jurisdiction designed to adjudicate tax controversies and establish and maintain a consistent body of law in the area of tax.

Internal Revenue Code Update Legislation

The Indiana Chamber Position:

The Indiana Chamber supports elimination of as many adjusted gross income (AGI) add-backs as possible and conformance with the Internal Revenue Code to the greatest extent practical. This calls for legislation to annually update the Indiana income tax code to adopt the most recently enacted federal definitions of AGI so long as the provisions are, on balance, justifiable and operate fairly.

Local Option Corporate Income Tax

The Indiana Chamber Position:

The Indiana Chamber believes local option corporate income taxes would be extremely harmful to Indiana's economic climate and therefore opposes legislation that would enable these specifically targeted taxes to be imposed. Exploration and assessment of alternative financing strategies that ensure adequate funding for local government operations while minimizing potential hindrances to economic activity is preferred.

Local Option Sales Taxes

The Indiana Chamber Position:

The Indiana Chamber opposes granting counties and municipalities the authority to implement local options sales taxes. Other possible funding mechanisms should be examined instead, such as user fees tied to the service being provided and regional or multi-district taxation for infrastructure projects that benefit regional purposes.

– *Direct Small Business Impact* –

Sales Tax on Services

The Indiana Chamber Position:

The Indiana Chamber opposes the expansion of the sales tax to service transactions.

State and Local Spending Controls

The Indiana Chamber Position:

After establishing prudent reserves to hedge against unforeseen emergencies or economic downturns, the Chamber supports reasonable spending controls for state and local government to ensure that tax

revenues are utilized efficiently.
– *Direct Small Business Impact* –

TECHNOLOGY and INNOVATION

Agriculture Technology

The Indiana Chamber Position:

The Indiana Chamber supports programs and incentives that enable rural communities, farms and other agricultural operations to prepare for the digital economy – thus allowing them to become more connected, profitable, efficient, safer and environmentally friendly. Programs and incentives that further collaboration between rural businesses, governments, schools and health care should have priority.

State lawmakers should consider facilitating more technology in agribusiness and our rural areas as a long-term investment. The objective of any state program or incentive is to encourage rural businesses to invest in modernization and advancements in technology such as sensors, devices, machines and information technology. This also includes access to high-speed rural broadband.

Autonomous Vehicles

The Indiana Chamber Position:

The Indiana Chamber supports adopting a proactive autonomous vehicle (AV) economic development strategy to leverage Indiana’s technology capabilities, manufacturing strengths and proximity to other states currently developing AVs.

The Chamber also supports the study of and amending our motor vehicle traffic codes to allow AV to be used on public roads, while ensuring public safety, including liability and indemnification legal barriers at the state and local levels. As AV technology evolves, we support full legalization for certain vehicles to operate without drivers (full level five automation) and the ability to permit testing in the state.

The Chamber supports the consideration and implementation of the commercial trucking industry to test platooning technology, which uses radar, GPS and wi-fi to link tractor-trailer trucks and allows them to link together into a platoon and utilize ideal following distances to reduce drag and increase fuel efficiency.

This requires amending Indiana’s traffic code to exempt truck platoons from certain traffic laws about distances of following another truck. We support having these policies and registration requirements streamlined and similar to other leading states.

The Chamber also supports pre-empting localities from enacting laws to ban – either intentionally or unintentionally – the operation of AVs.

The Chamber further supports investment in programs that develop the future workforce needed to code, design and operate AV technologies.

Certified Technology Parks

The Indiana Chamber Position:

The Indiana Chamber supports a continued review of the state’s existing certified technology parks (CTPs) by the Indiana Economic Development Corporation (IEDC) as authorized and required by state law. Those CTPs found to be excelling should be held up as models for the future; those CTPs found lacking

in performance measures should be allowed to address deficiencies and, if addressed, be re-certified. Those that cannot address their deficiencies after they have been identified and given time to remediate should be held accountable and decertified.

The Chamber also recognizes the positive steps forward made in 2023 by the Legislature, which allows CTPs that have reached the initial \$5 million cap, to capture up to \$250,000 per year. However, the legislation falls short of providing the support necessary to high-performing CTPs.

The Chamber supports increasing the maximum allowable capture annually to an amount necessary to ensure the longevity and growth of high-performing CTPs, so long as they remain in good standing with IEDC certification requirements/metrics. The current funding formula used by IEDC should remain intact to ensure each CTP “earns” the funds from the designated activity within the CTP.

Communications Growth

The Indiana Chamber Position:

The Indiana Chamber supports free-market competition in the delivery of advanced communications services. The Indiana Chamber believes that government policy in this area should: 1) be minimal and build upon successful deregulation of voice, video and broadband services that occurred in 2006; and 2) treat all industry players and competing technologies on a level playing field, removing any legacy policies that lead to disparities in the marketplace or that have become superfluous.

– *Direct Small Business Impact* –

Data Privacy

The Indiana Chamber Position:

The Chamber supports a data privacy law that promotes innovation and regulatory certainty while respecting individual privacy and choice. Data-driven innovation provides Indiana businesses with tremendous growth opportunities and its consumers with increased convenience and efficiency. It is paramount that business input is sought so unintended consequences do not occur that hamper or endanger the ability of a company, no matter its size, to conduct business.

Legislation passed in 2023, championed by the Chamber, balances the aforementioned objectives. However, tracking implementation efforts in other states, as well as continuing conversations with relevant stakeholders will remain critical in advance of Indiana’s 2026 effective date.

Specific provisions of the law that the Chamber supports include the following:

- Ensuring conspicuous notice to consumers regarding their privacy rights and options
- Ensuring a “cure period” for businesses to gain compliance in advance of an enforcement action
- Ensuring no private right of action
- Clarifying what constitutes a “sale” of data
- Clarifying the relationship between and obligations of controllers and processors, as well as their responsibilities for storing, protecting and providing consumers with the data they request

Expanding Venture and Investment Capital

The Indiana Chamber Position:

The Indiana Chamber supports expanding the availability of early stage, seed and venture capital funds in Indiana. Specifically, we encourage the Indiana Economic Development Corporation (IEDC) to revise its policy that precludes an investor who acquires in excess of 50% ownership interest in a qualified

business, over time, and/or company founders from receiving the venture capital investment (VCI) tax credit.

We would oppose any future attempts to dilute the following codified policies: making the VCI tax credit transferable; expanding the annual cap of available credits to \$20 million; increasing the award from 20% to 25% or 30%; and expanding the award to those who invest in venture funds.

The Indiana Chamber continues to support a policy that allows a 50% tax credit or a 10% guarantee of investment for losses incurred by individuals investing in technology and innovation-driven businesses, as well as adding flexibility to the annual cap limitations so that credits may be made available – in excess of the \$20 million cap – if and when investment activity increases at the end of the calendar year.

The Indiana Chamber further supports incentives for the growth of investment funds, including those for businesses that establish in-house innovation funds that back employee-innovators and/or Indiana start-ups whose products and services may add value to the company; e.g., externalization of a proposed innovation or digitizing operations.

Separately, the Chamber supports legislation stating that when state pension funds are invested as a limited partner in an out-of-state venture capital fund, it is stipulated that an investing partner of that recipient venture capital firm spend at least one day per quarter in the state of Indiana.

– *Direct Small Business Impact* –

Facilitating Entrepreneurship – “Right to Start”

The Indiana Chamber Position:

The Indiana Chamber supports the state’s investment in entrepreneurs and early-stage companies through public contracts. Specifically, the Chamber supports the following public policy objectives to benefit Indiana-based companies, with a special emphasis on technology companies that are under five years old:

- Encouraging 5% of all government procurement dollars to qualified companies and begin tracking state prime- and sub-contract participation by these firms.
- Encouraging 5% of state workforce development funding for programs that support individuals starting new businesses.
- Reducing or delaying registration, licensing and/or permitting fees for new businesses, including recognizing professional licenses earned in other jurisdictions.
- Enacting portable health care benefits for workers in transition who start a new business.
- Creating or supplementing alternative funding models to invest in starting and restarting businesses underserved by the traditional capital marketplace.

Incentive for Remote Workers

The Indiana Chamber Position:

The Indiana Chamber supports state- and local-based incentives for attracting individuals to move to Indiana who can work remotely. Incentives should be carefully designed to provide a return on the state’s investment and include participation from local communities and employers. As such, the Chamber encourages a data-driven approach to ensure that no incentive exceeds a new resident’s lifetime value to the state’s tax base.

Incentives may include grants (cash and land), moving and equipment cost reimbursements, tax credits, tax exemptions, property loans, student loan assistance, tuition or tuition assistance, health insurance, health and workspace memberships and discounts on Indiana-made products and services. Any incentive should be revenue positive to the state and based on lessons learned from other jurisdictions.

In addition to incentivizing remote workers to move to Indiana, lawmakers should codify language clarifying that employers of remote workers are eligible for Economic Development for a Growing Economy (EDGE) tax credits if the individuals are Indiana residents but do not work in a physical office location.

Increasing Entrepreneurship Through Strategic Investments and Small Business Innovation Research Grants/Small Business Technology Transfer (STTR) Programs

The Indiana Chamber Position:

The Indiana Chamber supports initiatives to increase the formation of new Hoosier businesses through the leveraging of private capital and use of federal research and development funds, especially Small Business Innovation Research (SBIR) Phase I and Phase II grants, in addition to Small Business Technology Transfer (STTR) programs. The Chamber urges continued focus on accelerating federal dollars through the SBIR and STTR programs and encourages the Indiana Economic Development Corporation to disseminate information to universities and local economic development leaders (e.g., chambers, coworking space directors, angel investors, venture funds, employers, etc.) who may help eligible entrepreneurs apply for this funding and to support, direct and channel resources and information to any Indiana Small Business Administration Federal and State Technology (FAST) Partnership Program recipients.

The Internet of Things (IoT)

The Indiana Chamber Position:

The Indiana Chamber backs programs that support and advance the ability of Indiana companies to leverage technologies and skills that improve innovation in product development and facilitate manufacturing and production advancements, in order to offer superior products and services to the emerging Internet of Things economy. We encourage the use of all available mechanisms, including tax policy, economic incentives, support for collaboration between Indiana companies, as well as promotion of these efforts on national and international levels.

Open Data

The Indiana Chamber Position:

The Indiana Chamber supports the availability and use of local and state governmental data through accessible formats in order to create economic opportunities for businesses and entrepreneurs, engage citizens and develop innovative policy solutions that improve program delivery and streamline operations. The Chamber encourages privacy and security of government open data, particularly personal information, to continue to be strengthened to ensure confidentiality and anonymity.

Quality and Availability of Talent for Indiana Innovation-Based Businesses

The Indiana Chamber Position:

The Indiana Chamber supports initiatives and funding to support the retention, attraction and growth of Indiana's pool of available talent (human capital) for innovation-based businesses.

Smart Cities, Smart State

The Indiana Chamber Position:

The Indiana Chamber supports the continued digital transformation of government and believes the smart cities' use of connected devices, big data and the Internet of Things (IoT) can improve the delivery of government services to citizens and their enterprises. These include water and waste management, connected street lighting, transportation and public safety. We also support the role of the state and how

smart states can help improve the efficiency and effectiveness of state government (e.g., improving communication and efficiency from agency to agency).

Technology Transfer

The Indiana Chamber Position:

The Indiana Chamber supports programs to increase the conversion of research that occurs in Indiana – whether at universities, by private enterprises or by the federal government and/or its contractors – into marketable products and more efficient processes for Indiana companies. This increase in the transfer of technology from academia and business to the marketplace is necessary for the success of existing businesses and to increase the number of new business startups.

The Chamber also supports the creation of an enhanced support structure to provide needed business expertise to promising technology ideas and their entrepreneurs.

– *Direct Small Business Impact* –

WORKPLACE SAFETY and HEALTH

Indiana OSHA State Plan

The Indiana Chamber Position:

The Indiana Chamber supports Indiana retaining the Occupational Safety and Health Administration (OSHA) state plan as enabled by section 18 of the federal OSHA ACT. State plans are federal OSHA-approved job safety and health programs operated by individual states rather than federal OSHA. The Indiana Chamber may support increases in OSHA penalties only under the specific situation where there is a reasonable basis to believe the federal OSHA will revoke the Indiana state plan due to insufficient penalty levels. The Indiana Chamber will not support increasing penalty levels under any other circumstance.

Occupational Safety and Health Compliance and Enforcement Issues

The Indiana Chamber Position:

The Indiana Chamber believes that all employers should provide employees a safe and healthy workplace. Employers should comply with safety standards as established by the federal Occupational Safety and Health Administration (OSHA) and enforced by the Indiana Occupational Safety and Health Administration (IOSHA.) IOSHA should be reasonable and consistent in its enforcement of safety and health standards. Regulatory agencies should provide employers with the highest level of professional compliance assistance through their designated education programs such as the Indiana Department of Labor's INSafe program. Likewise, the Indiana Chamber opposes legislative or regulatory efforts having the effect of impeding employers' ability to proactively maintain a work site that is safe and free from recognized hazards.

Selection of Physicians in Worker's Compensation and Occupational Disease Cases

The Indiana Chamber Position:

The Indiana Chamber supports the employer's right to select the physician for workplace injuries or illnesses.

Worker's Compensation and Occupational Diseases Laws

The Indiana Chamber Position:

The Indiana Chamber supports Indiana's current worker's compensation and occupational diseases laws

as the exclusive remedy for workplace injuries or illnesses. Structural changes to the system do not need to be made. Previously, the method for reimbursing medical facilities for worker's comp was problematic between employers and providers and has now been changed. The Indiana Chamber will be monitoring the new reimbursement practice that was established.

FEDERAL BUSINESS ISSUES

Biennial Budgeting

The Indiana Chamber Position:

The Indiana Chamber supports moving from a yearly congressional budget to a biennial congressional budget.

Business Tax Reform/Relief

The Indiana Chamber Position:

The Indiana Chamber supports ongoing tax reform efforts including the elimination of the estate tax, and individual Alternative Minimum Tax (AMT). The Chamber opposes any consideration of a value-added tax (VAT) to be imposed in addition to, rather than as a replacement of, income taxes.

– *Direct Small Business Impact* –

Campaign Finance

The Indiana Chamber Position:

The Indiana Chamber supports fair and reasonable campaign finance laws and regulations designed to both protect the First Amendment political speech rights of all citizens and which does not unconstitutionally limit speech or give an advantage to only one political party, candidate or interest group.

The Indiana Chamber supports thorough public disclosure of political campaign contributions and direct and indirect expenditures to and on behalf of candidates, candidate committees and political parties. The Indiana Chamber is strongly opposed to banning advertisements or other political communications prior to any election day, as this would be a clear violation of the First Amendment.

Class Action Lawsuits

The Indiana Chamber Position:

The Indiana Chamber supports legislation that will protect consumers while reducing the number of financially draining class-action lawsuits that businesses – both large and small – have to face and will allow the business community to protect itself against the same case in a multitude of state courts.

– *Direct Small Business Impact* –

Communications Growth

The Indiana Chamber Position:

The Indiana Chamber supports free-market competition in the delivery of advanced communications services. The competition in a free-market environment among industry service providers is consistent with providing choice to consumers and an adequate service of last resort in extended service areas.

The Chamber opposes any attempt to impose new regulations on broadband and other next-generation telecommunications services by the Federal Communications Commission (FCC), especially through the

unilateral reclassification of such services under Title II of the Federal Communications Act. The Indiana Chamber supports the U.S. Congress examining and deciding issues such as “net neutrality.”

– *Direct Small Business Impact* –

Comprehensive Immigration Reform

The Indiana Chamber Position:

The Indiana Chamber supports seven principles for federal immigration reform: 1) should be comprehensive, addressing both economic needs for future workers and undocumented workers already in the U.S.; 2) should strengthen national security by providing for the screening of foreign workers and creating a disincentive for illegal immigration; 3) should strengthen the rule of law by establishing clear, sensible immigration laws that are efficiently and vigorously enforced; 4) should create an immigration system that functions efficiently for employers, workers and government agencies; 5) should increase quotas for highly-skilled and seasonal workers while decreasing processing times to help dampen demand for undocumented workers; 6) create a program that requires undocumented workers to earn legal status; and 7) should ensure that all workers enjoy the same labor law protections.

Data Privacy

The Indiana Chamber Position:

Data-driven innovation provides Indiana businesses with tremendous growth-opportunities and its consumers with increased convenience and efficiency. Therefore, the Indiana Chamber supports a federal data privacy law that promotes innovation and regulatory certainty while respecting individual privacy and choice.

We believe such a federal law should have the dual objectives of providing appropriate privacy protections for consumers and enabling the digital economy and innovation to ensure national and Indiana business growth and competitiveness. Further, the Indiana Chamber advocates that Congress should adopt a federal privacy framework that preempts state law on matters concerning data privacy in order to provide certainty and consistency to consumers and businesses alike.

Additionally, the Indiana Chamber supports federal legislation that does not include private rights of action; individual lawsuits favor lawyers over consumers as they tie up businesses without effecting meaningful change.

Keeping consumers’ information secure is a top Hoosier business priority, so as part of a national privacy framework, the Indiana Chamber suggests Congress includes risk-based data security and breach notification provisions that protect sensitive personal information pertaining to individuals.

Energy and Global Climate Change

The Indiana Chamber Position:

The Indiana Chamber supports a national energy policy that seeks to maintain our country’s economic competitiveness and national security while providing essential stewardship for the environment and public health. These goals need not be incompatible, but some efforts to address global climate change and regulate greenhouse gas emissions (GHGs) have had the potential to threaten thousands of American (and, especially, Hoosier) jobs and new business investment without achieving their stated goal of reducing GHGs and countering the effect(s) of global climate change.

Setting aside the arguments over the incidence, severity, consequences or causes of global climate change, any action to address climate change and regulation of GHGs should come from the U.S.

Congress, not from Presidential Executive Orders, efforts by the U.S. Environmental Protection Agency and other federal agencies to promulgate new regulations, using the application of existing federal regulations. Further, any such action by Congress in this area should adhere to the following principles:

- Unilateral action is unnecessary and unwise; a global problem requires a global response. Any U.S. action should be conducted within the confines of a ratifiable Senate agreement and a workable international framework with equitable participation by developed and developing countries. Any such international framework should avoid tariffs or other trade mechanisms that could result in a counter-productive “trade war” or the provision of economic advantages to one country (or set of countries) over another
- Balance environmental objectives, such as the reduction of GHGs, with economic growth and job creation, preserving American jobs and the competitiveness of U.S. manufacturing and other industries
- Phase-in any new regulations over time and favor market-based solutions with incentives over new mandates to achieve policy goals
- Promote investment in new technology development and deployment in pursuit of a realistic mix of market-based energy sources. This will promote a diverse mix of all energy sources while fostering technological innovation in the continued use of fossil fuels (e.g., clean coal), promote nuclear power and bridge to new lower-carbon alternatives (e.g., natural gas, biomass, wind, solar) while acknowledging their limitations
- Streamline the regulatory and permitting process for the responsible building of new power generation facilities, and modernization of electric and natural gas transmission and distribution infrastructure
- Promote sensible and cost-effective energy efficiency and energy demand management policies

EPA Carbon Dioxide Regulations

The Indiana Chamber Position:

The Indiana Chamber opposes executive orders and federal agencies’ efforts to use the Clean Air Act or other federal regulations to mandate greenhouse gas and carbon emissions reductions on new and existing electric generation units and other industrial sources. GHG regulations should address regional concerns, not mandate or require technologies that are not commercially available or adequately demonstrated and should give states adequate time and flexibility to implement the regulations.

Expansion of Clean Water Act Coverage to Groundwater Discharges

The Indiana Chamber Position:

The Indiana Chamber supports the EPA’s rulemaking that discharges to groundwater are “categorically excluded” from NPDES permitting obligations under the Clean Water Act.

Expansion of the Clean Water Act – Waters of the United States

The Indiana Chamber Position:

The Indiana Chamber is opposed to the U.S. Army Corps of Engineers and the EPA’s proposed Waters of the United States (WOTUS) rule change to restore the regulations in place prior to the 2015 WOTUS implementation. We are opposed to the expansion of the term “navigable” from the Commerce Clause of the U.S. Constitution concerning the federal Clean Water Act (CWA). There is potential to expand the CWA jurisdiction over all intrastate waters including ditches, culverts, pipes, desert washes, sheet flow, erosion features, farm and stock ponds.

Expansion of Family Medical Leave Act

The Indiana Chamber Position:

The Indiana Chamber opposes expansion or enhancement by Congress of the Family and Medical Leave Act as it is unnecessary and would prove more burdensome and economically challenging to businesses as they strive to compete in the global marketplace.

– *Direct Small Business Impact* –

Fair Labor Standards Act

The Indiana Chamber Position:

The Indiana Chamber supports clarifying issues that have arisen from the U.S. Department of Labor regulations regarding exemptions for salaried workers. The Chamber supports allowing flexibility in compensating individuals for hours worked by permitting “comp time” in the private sector and the use of flexible scheduling beyond the current 40-hour workweek. The Chamber also supports allowing employers to more easily use incentive programs such as gain-sharing and bonus plans without affecting an employee’s “regular rate” for purposes of calculating overtime.

– *Direct Small Business Impact* –

Federal Financial Flexibility of Education Funds

The Indiana Chamber Position:

The Indiana Chamber supports federal legislation to allow flexibility of federal programs in return for accountability and continuous improvement of students and schools.

Federal Minimum Wage

The Indiana Chamber Position:

The Indiana Chamber opposes an increase to the federal minimum wage law at this time.

Federal Regulations

The Indiana Chamber Position:

The Indiana Chamber believes that federal agencies must be restrained by Congress and the president in a manner necessary to prohibit them from writing and implementing regulations that circumvent congressional legislative intent. Federal agencies should not be allowed, through the rulemaking process, to rewrite existing laws that change and/or obfuscate congressional legislative intent without the direct oversight and approval of Congress. The Chamber supports the enactment of legislation and policies by Congress that require consistency between federal statutes and proposed agency regulations. The Chamber opposes proposed federal regulations that are contrary to existing federal law and/or do not have a scientific basis, as well as those that would impose unnecessary, excessive or costly compliance burdens on business.

Federal Roads and Highways Infrastructure

The Indiana Chamber Position:

The Indiana Chamber supports continued federal investment in Indiana’s highway network and upgrading existing major transportation arteries, such as I-69, U.S. 31, and U.S. 30, as well as the development and construction of new networks to improve commerce, logistics and safety (such as the projects listed the Blue-Ribbon Panel Tier 1 and 2).

The Chamber supports diligent pursuit at the federal level of continued funding for the Highway Trust Fund, as these federal funds remain critical to the maintenance and modification of the state’s

transportation infrastructure. Further, we oppose any suspension or diversions of federal gas tax revenues to other purposes that have, in part, led to the threatened insolvency of the federal Highway Trust Fund.

The Chamber seeks to change Indiana's perennial status as a "donor state" in that we receive less than a 100% return on our share of Indiana gas taxes paid to the Federal Highway Trust Fund.

The Chamber urges Congress to return the ratio of formula to discretionary dollars to a reasonable amount in future highway reauthorizations and maintain funding formulas related to measurable road usage factors. The Chamber further urges Congress to focus efforts to debate and pass comprehensive and fiscally sustainable multi-year transportation acts in the future.

The Chamber supports the efforts of the state of Indiana to implement tolling on its interstates in order to maintain and improve the system. To achieve this, the Chamber encourages Congress to remove the current restrictions on a state's ability to toll its interstates.

– *Direct Small Business Impact* –

Federal Tort Reform

The Indiana Chamber Position:

The Indiana Chamber supports:

- Fair determination of actual damages based on fault and economic loss due to the fault of another;
- Timely and predictable process for resolution of disputes;
- Examination and reform of the contingency fee system;
- Sanctions for bringing frivolous lawsuits;
- Limitations on non-economic and punitive damages; and
- Containment and reduction of false and misleading attorney advertisements.

– *Direct Small Business Impact* –

Food and Drug Administration

The Indiana Chamber Position:

The Food and Drug Administration (FDA) has an important responsibility to make sure consumers get expeditious access to safe and effective products. Thus, the Indiana Chamber supports a well-resourced FDA, especially in the area of drugs and medical devices, through appropriated funds and user fees (tied to specific and measurable performance requirements for the FDA). The Indiana Chamber supports full implementation of the 2017 FDA Reauthorization Act (FDARA), which, among other things, extends the drug and medical device user fee programs for the next few years and specifies continued FDA process improvements, including FDA's post-market inspection process for medical device facilities. Indiana Chamber members support efforts to renew and update these user fee programs when they expire next year.

Foreign Investment and Economic Sanctions

The Indiana Chamber Position:

The Indiana Chamber opposes any measure that would restrict or hinder foreign investment in the United States that does not clearly jeopardize national security.

Free Trade Agreements

The Indiana Chamber Position:

The Indiana Chamber supports establishment, expansion and enforcement of free trade agreements and deals; they create free and fair trade for the United States, including the USMCA (United States, Mexico, Canada Agreement) – a modernization of NAFTA. The Administration and Congress should continue to enforce – and consider modifications to or expansions of – the Phase 1 trade deals with Japan and China, as well as negotiate new deals with the EU, UK and other countries.

Health Care Reform

The Indiana Chamber Position:

The Patient Protection and Affordable Care Act (ACA) of 2010 has done little to reduce the nation's health care costs. It has created senseless reporting and compliance costs for employers. It has created a significantly unstable individual market. And while there has been an overall increase in the number of insureds, the majority of those gains are attributable to increases in Medicaid coverage.

From its enactment, the Chamber has maintained that “repeal and replace” is the best direction for Indiana's employers and employees. It is apparent, however, that the political environment makes repeal unlikely. In the absence of total repeal, the Chamber supports the following principles:

- Address the underlying cost of health care;
- That employers should be able to maintain flexibility in health plan benefit design; and that much of the employer mandates and reporting requirements are burdensome and costly to employers, and should be eliminated by repeal or administrative dictate;
- That the individual market should be an actuarially and financially sustainable market;
- That the Medicaid issue should be tackled separately from the ACA; and the Medicaid program must be reformed from a volume to a value approach – providing good outcomes, be financially sustainable and allow for state flexibility in plan design; and
- Improve outcomes including prevention, population health and wellness.

Prevailing Wage Law

The Indiana Chamber Position:

The Indiana Chamber supports repeal of the federal prevailing wage law known as the Davis-Bacon Act.

Prohibition/Regulation of Third-Party Litigation Funding

The Indiana Chamber Position:

The Indiana Chamber supports prohibition or (in its absence) regulation of the practice of investors buying an interest in the outcome of a lawsuit – otherwise known as third-party litigation funding (TPLF). TPLF makes it harder and more expensive to settle cases and threatens to undermine long accepted norms in our judicial system.

Protection From COVID-Based Exposure Lawsuits

The Indiana Chamber Position:

The Indiana Chamber supports enactment of federal legislation that:

- protects from COVID-based exposure lawsuits for businesses, educational institutions and nonprofit organizations;
- protects health care providers from medical liability lawsuits;

- protects under the PREP Act manufacturers of certain personal protective equipment (PPE) and certain recommended countermeasures used to combat COVID-19; and
- provides labor and employment law protections for COVID-19 related mitigation efforts by employers, including workplace testing.

Social Security and Retirement Plan Reform

The Indiana Chamber Position:

The Indiana Chamber supports actions by Congress and the administration to maintain the viability of the Social Security system and prevent its financial collapse. The Chamber believes that Social Security reform should avoid unnecessary tax increases and should include private savings account options that utilize individual, private or public market investments.

The Indiana Chamber supports incentives for employer-employee sponsored retirement programs. More should be done to help small businesses establish plans for their employees, especially in the areas of regulatory simplification and financial incentives. Legislation should simplify retirement law and regulations, help older workers catch up on retirement savings, repeal financial disincentives to starting plans, and create a new simplified retirement plan for small businesses.

Tariffs

The Indiana Chamber Position:

The Indiana Chamber recognizes certain authorities to impose tariffs have been delegated by Congress to the President as a means to address special cases of national security and unfair trade practices. Although the Indiana Chamber acknowledges a basis for these concerns, the Chamber opposes the current use of tariffs as ineffective method to address their intended objectives and instead advocates the use of alternative means, including international coalitions and the established World Trade Organization dispute settlement process.

Waterborne Commerce and Infrastructure

The Indiana Chamber Position:

The Indiana Chamber supports continued investment in the Great Lakes, Ohio River Basin and Mississippi River Basin locks and dams infrastructure. The Chamber supports diligent pursuit at the federal level of continued funding for the Inland Waterways Trust Fund, as these federal funds remain critical to the maintenance and modification of the state's infrastructure and robust, growing waterborne commerce.

Additionally, the Chamber opposes diversions from the barge fuel tax and the harbor maintenance tax to other purposes. Any federal funds generated from the barge fuel tax or harbor maintenance tax must flow directly to the Inland Waterways Trust Fund, for barge fuel taxes on inland waterways, and the Harbor Maintenance Trust Fund, for the harbor maintenance tax assessed on deep draft navigation waterways system, and not into the federal general fund. The funds would be specifically restricted to locks, dams, dredging, dredge material disposal and breakwater maintenance.

Further, the Chamber urges Congress to give some control to the states by allowing Indiana to receive an amount, based on a formula created by Congress, for use by the state to maintain dredging, handle dredge material disposal and work on breakwater maintenance. This will allow the Army Corps of Engineers to focus their attention on the locks and dams while giving the states some authority over the waterways. This funding would be collected and distributed by the federal government and the states would execute the projects, similar to our current highway system.

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