116TH INDIANA GENERAL ASSEMBLY ★

SENATE DEMOCRATIC CAUCUS

NEWS RELEASE

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

INDIANAPOLIS—Most of the legislation still under consideration this session is being negotiated in joint House-Senate conference committees where compromises between two different versions of a bill are being sought. Some bills have passed both chambers without amendments and now proceed to the governor for final consideration. Once received, the governor has seven days to sign a bill into law, allow a bill to become law without his signature or veto legislation. By law, legislators have until midnight March 14 to conclude business. This brief summary highlights some of the legislative action taken this week.

Ethics reform – Ethics reform legislation that will provide more accountability and transparency in state government is headed to the governor who is expected to sign the bill into law. Provisions contained in House Bill (HB) 1001 will affect legislators, lobbyists, the executive branch and universities. A few of the bill's provisions include: requiring uniform reporting by all lobbyists; reducing the threshold for reported one-time lobbyist expenses from $100 to $50 as well as the annual total from $500 to $250; prohibiting lobbyists from paying out-of-state travel expenses for legislators; and requiring legislators to wait at least one year after leaving office before they can become lobbyists. **Sipes co-authored this legislation.**

Public-private partnerships authorized - Legislation was approved this week which authorizes public-private partnerships for the construction and development of the Illiana Expressway in the northwest region of the state and bridges across the Ohio River in southern Indiana. Passage of Senate Bill (SB) 382 is the first step in the process to proceed with nearly $5 billion in new infrastructure projects that will create thousands of jobs and stimulate economic development opportunities. The legislation provides authorization for a private company to build and operate a toll road connecting I-65 in Lake County with either I-57 or I-55 in Illinois. The new bypass will help relieve congestion on the I-80/94 Borman Expressway, one of the most heavily trafficked interstates in the nation. The legislation also authorizes a public-private partnership for the construction of new bridges spanning the Ohio River connecting Indiana and Kentucky. According to the Federal Highway Administration, for every $100 million invested in construction projects, up to 2,000 jobs are created.

Floyd County courts – **Sipes authored legislation which will redistribute the Floyd County Circuit Court's caseload for better court efficiency**. SB 307 provides that in Floyd County, the Circuit Court would have exclusive jurisdiction over probate and trust matters. The bill also provides that the Floyd Circuit Court and Floyd Superior Court No. 3 have concurrent juvenile jurisdiction.

Property tax billings – HB 1059 will require counties to get property tax billings mailed on a timely basis. Counties that anticipate being behind schedule with spring tax bills will be required to send provisional tax bills in which 50 percent of the previous year's total tax liability would be due in the spring installment. If final property tax bills cannot be determined by the fall, the remaining 50 percent of the previous year's bill would be collected in the fall. If the final amount for the current year can be determined, a reconciliation bill for the remainder of the current year's taxes would be due in November. In addition, counties will be able to appeal to the Department of Local Government Finance for an extension if the

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bills can be distributed and due by June 10. Passage of this bill will help homeowners budget for their property taxes and allow local units of government to maintain more concise operating budgets and avoid borrowing millions of dollars in loans. The bill now goes to the governor.

Earned income tax credit protected – Legislation that will protect a debtor's Indiana Earned Income Tax Credit (EITC) from bankruptcy proceedings has advanced to the governor. HB 1021 will allow the state EITC to be considered exempt property under the bankruptcy property exemption statute. In 2008, the General Assembly increased Indiana's EITC to 9 percent of the federal EITC received by a taxpayer. More than 493,000 Hoosiers benefitted from the EITC that year, receiving an average credit of $1,991. In total, the EITC put nearly $981.6 million back into the pockets of working Hoosier families. Current law already provides that an individual's federal EITC is exempt. At a time when Hoosier families are hurting from the economic recession and the rate of personal bankruptcy filings is up, passage of this legislation will be very important for working families.

Alcoholic beverage sales – SB 75 contains several provisions pertaining to the sale of alcohol in this state. If signed into law, the bill will allow a microbrewery to sell the brewery's beer for carryout on Sundays, allowing microbreweries to have the same sales opportunities as wineries. Other provisions will allow liquor stores and other establishments to have carryout sales on primary and general election days, and allow restaurants and bars to sell alcoholic beverages on Sundays until 3 a.m. the following day. In addition, the measure calls for all establishments selling alcohol for carryout to check the identification of all customers who appear younger than age 50. **Co-authored by Sipes, this bill is awaiting final action by the governor**.

Child support collections – Legislation has advanced to the governor that will require persons who own or operate a river boat licensed as a gambling operation or a horse racetrack licensed for gambling games in Indiana to withhold cash winnings of those individuals who are delinquent in child support.payments. The measure requires the Child Support Bureau to provide certain information to gaming officials about delinquent parents. SB 163 will provide another avenue for collecting delinquent child support and get some of those casino winnings to the children who need it most. Testimony revealed that Indiana ranks 41st in the nation and only collects 58 percent of what is owed. The delinquency equals about $2.2 billion statewide.

Major issues still in conference committees
School funding - Under HB 1367, Indiana schools would be provided greater flexibility to tap into various funds and funnel those dollars into the classroom. In the most recent conference committee report, the measure would allow financially-strapped schools to utilize up to 3.5 percent of their capital projects fund without restrictions. The legislation is a result of action taken by the governor in early January when he imposed funding cuts of $300 million on K-12 education as state tax collections continue to fall below expectations. Passage of this legislation will enable schools to transfer unused monies from any fund, except debt service, to their general fund. **Sipes is a co-sponsor of this bill.**

Unemployment insurance – Lawmakers are still wrangling over legislation that would avert a scheduled increase in unemployment insurance taxes on businesses. The tax increase was approved last session to help replenish the bankrupt state unemployment insurance trust fund. The state has borrowed more than $1 billion from the federal government to pay unemployment claims. Suggested changes to SB 23 have included postponing the increase for two years as well as a repeal of the tax increase. Also at issue are changes in state law that would allow Indiana to access federal stimulus funds for unemployment.

Net metering – Expanded net metering opportunities is the goal of SB 313 now in conference committee. This legislation would help reduce utility bills and increase renewable energy production in Indiana. Net metering laws allow consumers who generate excess electricity through wind mills, solar panels and other renewable energy technologies, to send any excess power back onto the electric grid for a credit on their utility bill. Current law limits participation to homeowners and schools with a generating capacity of 10

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kilowatts or less. The legislation would expand net metering opportunities to all consumers, and place much of the rule-making authority with the Indiana Utility Regulatory Commission.

Township government reform – Legislation which would allow for a public referendum to allow voters to decide whether to eliminate township boards and trustees is still under negotiation. Under HB 1181, township duties and responsibilities would be transferred to counties.

Negotiations on all of these issues will continue into next week.

To stay informed about legislation moving through the General Assembly or to track legislation, log on to www.in.gov/legislative/.This site provides complete bill information as well as committee hearing dates and agendas. From this site, you can also tune in to House and Senate floor debate as well as some committee hearings.

Citizens can stay current on legislation scheduled for action through a free online program available at www.BillWatch.in.gov. Track up to ten bills and receive e-mail notifications only when action is taken on those bills.

Visit my Senate web site at www.in.gov/s46 and subscribe to receive periodic e-mails about the major issues facing us this year. The Senate Democrats are also providing multimedia updates on the daily activities in the Senate at The Briefing Room and Twitter updates at @INSenDems. Personal contact with constituents has a direct impact on the legislation we consider and what ultimately becomes law. Feel free to contact me with your comments and concerns regarding pending legislation or if I can provide any assistance.

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