

1/15/2016

THE CORYDON GROUP

SESSION - Week 2



IOA Weekly Update

Click here for current bill track:

<http://tinyurl.com/IOAbilltrack>

The first important deadline of the 2016 session has passed. Tuesday, January 12, was the last day for bills to be filed. While there are still a few bills waiting to be assigned to committees, we now know the universe of bills that have been filed.

A bill we know has been filed, but not yet assigned to a committee was introduced by Rep. Tim Brown, MD. Rep. Brown's bill places a sales tax on services. The bill imposes a 3.1% sales tax on all transactions with the exception of business to business transactions. So, for health care services, the payment from an insurance company would be exempt from the tax, but the patient's out of pocket would be subject to the 3.1% tax.

contact

125 West Market Street
Suite 300
Indianapolis, IN 46204
www.thecorydongroup.com

Bills being heard next week:

HB 1221 dealing with price transparency will be heard in House Insurance Committee on Wednesday.

Tuesday, January 19th in Senate Corrections and Criminal Code committee, SB 80 and SB 161 will be heard. SB 80 – Pharmacists and Ephedrine, authored by Sen. Randy Head, would require drug related felonies to be reported to the NPLEx system so that it can generate a “no-sale” alert to prevent those previously convicted from purchasing ephedrine or pseudoephedrine. The other caveat to the bill would allow a pharmacist to deny the sale of ephedrine or pseudoephedrine based on the pharmacist's professional judgment.

SB 161 will also be heard next week in the same committee hearing as SB 80. SB 161 – Methamphetamine Matters, authored by Sen. Mike Young, is very similar to SB 80 as it includes the required reporting to the NPLEx system so that a “no-sale” alert can be generated. This bill, however, does not include the pharmacist provision. HB 1157 – Methamphetamine Matters, authored by Rep. Dave Frizzell, will be heard in House Public Health Committee on Wednesday, January 20th. This bill is the companion bill to SB 161 in the Senate.

SB 152 – Medical Malpractice will be heard next week in Senate Judiciary Committee, also on January 20th.

Within hours of each other on Tuesday, Governor Mike Pence and President Barack Obama delivered their annual addresses to the General Assembly and Congress, respectively.

In his State of the State address, Governor Pence highlighted four main policy areas.

Transportation: The governor reiterated the need for increased infrastructure funding for the state. Republican leaders in the House agree with the end result but disagree with the means to accomplish it. While Gov. Pence wishes to boost infrastructure funding through state reserves and bond issuances, HB 1001 provides funding primarily from increased fuel and cigarette taxes. House Republicans argue that Pence's proposal, which cleared Senate committee hearings this week, provides only a short term solution. However, Pence argues that taxes should not be levied, "...when you have the money in the bank and the best credit rating in America."

Gun Rights: Gov. Pence also outlined his support for 2nd Amendment rights and rebutted President Obama's remarks last week that criminals in Chicago were obtaining firearms from Indiana. "Hoosiers are not the cause of crime in your hometown – criminals are." A number of guns rights bills have been filed in Indiana

but have yet to see action in their respective committees.

Education: Gov. Pence, in line with others in the General Assembly, argued for reforms to the state's ISTEP testing and expressed his support for House Speaker Brian Bosma's (R – Indianapolis) proposal to provide tuition scholarships for potential educators who commit to teaching in Indiana for five years.

Anti-Drug Measures: The Governor also spoke of the need to increase penalties for drug dealers while providing help to individuals struggling with a drug addiction. The governor cited his Taskforce on Enforcement, Treatment, and Prevention as well as the previously announced new state mental hospital

However, perhaps most anticipated in the governor's address was the stance he would take on civil rights legislation regarding sexual orientation and gender identity. The governor, who has seen increasing pressure **from** both sides - religious conservatives in opposition and growing popular and business interests in support - stated that he would, "not support any bill that diminishes the religious freedom of Hoosiers or interferes with the constitutional rights of our citizens to live out their beliefs in worship, service or work." However, Gov. Pence said that no one should be

harassed or mistreated, "simply because of who they are, who they love, or what they believe."

Reaction to the governor's long-awaited stance was mixed. The governor received praise from legislative leaders in the House and Senate who applauded his desire to prevent discrimination without weakening religious freedoms.

However, LGBT rights organizations and many on the political left argued that the governor sidestepped having to take a firm stance, and punted responsibility to the legislature. Political analysts contend that the governor took a stance that would appease religious conservatives while keeping the option open to sign into law a bill containing civil rights for sexual orientation and gender identity and that the governor's decision on the issue would be determined only when he had a piece of legislation sitting on his desk.



Dates to Remember

January 18th: MLK Day
(Statehouse Closed)

January 28th: House and
Senate Committee
Report Deadline

February 3rd: 3rd Reading
Deadline for House and
Senate

February 25th: Senate
Committee Report
deadline on House Bills

February 29th: House
Committee Report
Deadline on Senate Bills

Several key pieces of legislation advanced their way through the house this week.

On Tuesday, HB 1003 authored by Education Committee Chair Robert Behning (R – Indianapolis) was passed by the House and referred to the Senate. HB 1003 contains provisions which freeze the effect of ISTEP scores on teacher performance pay increases. A key piece of legislation promised by the governor as well as House and Senate leadership, HB 1003 ensures that teachers may only receive an increase in pay based on ISTEP scores. The bill was referred to the Senate and passed the Senate Education Committee on Thursday and will likely be signed by the governor by the end of the month.

Also of note, HB 1001 which provides an increase in state road funding through increased gas and cigarette taxes received its first hearing in the House Roads and Transportation Committee. Authored by the committee's chair, Rep. Ed Soliday (R – Valparaiso), HB 1001 is the keystone legislation in the House Republican legislative agenda.

Besides addressing infrastructure funding via HB 1001, the House Republican legislative agenda, revealed

last week, also includes the following goals:

- **Support Educators and Students:** Along with HB 1003, House Republicans will look to support companion Senate legislation and introduce legislation to establish a scholarship program for future Indiana educators.
- **Curb Illegal Drugs:** In his Organization Day address, House Speaker Brian Bosma referred to legislation to require prescriptions for medicines containing pseudoephedrine and we now see legislation that would do as such.
- **Execute Legislative Responsibilities Effectively:** House Speaker Bosma stressed, "House Republicans remain focused on enacting policies that complement our AAA credit rating and strong reserves, and enhance our top-ranked economic climate," again highlighting the House Republican's opposition to the governor's road funding plan which will draw from state reserves and bond issuances.



The transportation proposals that Governor Pence highlighted in his State of the State address cleared the Senate Transportation Committee on Tuesday. SB 333, authored by Transportation Committee Chairman Carlin Yoder (R – Middlebury), aligns with the governor's plan to fund infrastructure improvements through state reserves and bonds. The passage of SB 333 through committee, and the current hearing of HB 1001 indicate a likely looming clash over funding mechanisms for improvement of the state's infrastructure between House leadership behind HB 1001 and Senate leadership and the governor behind SB 333.

Another aspect of the governor's legislative agenda advanced in the Senate this week as SB 165 passed through the Senate Committee on Health and Provider Services. SB 165 essentially codifies the

Healthy Indiana Plan 2.0, rolled out early last year, which expanded Medicaid services. Of note, the bill's author and longtime Senate Health and Provider Services Chairwoman, Senator Pat Miller (R-Indianapolis), announced that she will not seek reelection at the conclusion of the 2016 legislative session.

Also passing through Senate committee was a bill which would open up adoption records that are currently closed. The measure, which failed last year, underwent changes in committee which addressed many privacy concerns lawmakers raised a year ago.

The same day that HB 1003 passed out of committee in its second chamber, companion legislation SB 200, which prevents school performance ratings from being affected by last year's ISTEP scores, passed out of the House Education

Committee. The ISTEP scoring fix bills will likely receive a third hearing in their second chambers next week and arrive on the governor's desk.

Finally, introduced to the Senate last week was a bill which would penalize businesses that repeatedly are caught hiring undocumented workers by allowing a judge to strip the business of its license. Authored by Sen. Mike Delph (R – Carmel), SB 285 was assigned to Senate Pensions and Labor where Chairman Phil Boots (R – Crawfordsville) signed on as a co-author. Currently, only seven other states possess similar punishments. The business community spoke out against the bill claiming that the penalty is too stringent for the violation.

contact

THE
CORYDON
GROUP

125 W Market St, Suite 300

Indianapolis IN 46204

317.634.5963