Legislative Update
120th General Assembly

Friday, January 13th, 2017

Week Two Overview

The second week of session was a flurry of activity with the inauguration and first committee hearings. The Senate held their customary pre-session press conference to lay out their legislative priorities, and Governor Holcomb released his proposed biennial budget for the state. As a reminder, this session is a long session (budget session) which is anticipated to conclude on April 29th, 2017.

2017 Inauguration

On Monday, January 9th, 2017, Chief Justice Rush presided over the inauguration of the following:

The Honorable Eric J. Holcomb, as Governor of the State of Indiana

The Honorable Suzanne M. Crouch, as Lieutenant Governor of the State of Indiana

The Honorable Curtis T. Hill Jr., as Attorney General of the State of Indiana

The Honorable Dr. Jennifer G. McCormick, as Superintendent of Public Instruction of the State of Indiana

The Honorable Tera K. Klutz, as State Auditor of the State of Indiana

Points of Interest

Governor Eric Holcomb released his administration’s first budget on Monday January 9, 2017. One of the focal points of his agenda will include funding for a comprehensive 20 year road and infrastructure program. This would involve finishing existing projects, maintaining the state’s infrastructure as needed, and to create new building programs. Recruiting, training, and retaining a 21st century workforce is also high on the Governor’s agenda. Increasing funds for k-12 education, combating the opioid epidemic, and providing higher quality social services for the state were also mentioned in the proposed budget.

The Indiana Senate Republicans released their agenda for the 2017 session on Tuesday January 10th. The outline presented by Senator David Long (R-Fort Wayne) states that the Senate will focus on having a comprehensive infrastructure plan but did not go into specifics stating that “it is a long process with several options on the table.” The Senate Republicans did have a few differences with the House Republicans in their plan for the session. For instance, the upper chamber will focus heavily on dealing with the opioid epidemic. Senator Jim Merritt (R-Indianapolis) stated that the goal of the legislature is to “kill heroin in five years.” The Senate’s agenda also focuses on expanding the pilot
program for Pre-Kindergarten and building up a new standardized test that will be implemented in the next two to three years.

Also of note, Representatives Negele (R-Attica) and Holli Sullivan (R-Evansville) held a press conference highlighting legislation that will attempt will to reduce the number of Hoosier deaths resulting from cervical cancer. This bill, according to their statement, would “require the Indiana State Department of Health to develop a strategic plan to decrease Indiana’s cervical cancer mortality rate.” If passed, the ISDH would be required to submit a report outlining their plan to the Governor and both Houses of the General Assembly by no later than Dec. 31, 2018. Two of our clients – the Coalition of Advanced Practice Nurses and the Indiana Rural Health Association spoke in favor of the legislation as part of the press conference.

**Session Floor Highlights**

**House of Representatives**

Several key pieces of legislation, addressing 2017 legislative priorities, were handed down on first reading and assigned to committees. These priorities include the budget in House Bill 1001. January 10, 2017, at 2:00pm, was the deadline for filing house bills.

Other notable bills handed down were two education bills. House Bill 1004 (HB 1004) addresses Pre-Kindergarten education and is authored by the Chairman of the House Education Committee, Rep. Bob Behning (R-Plainfield). HB 1004 is a bill that will draw attention this year. Funding efforts directed at “Pre-K” education have been identified as priorities on several key legislative agendas, including those of the House Republicans, Senate Republicans, and the office of Governor Holcomb.

Additionally, House Bill 1005 (HB 1005), which addresses the future of the position of Indiana’s Superintendent of Public Instruction (Superintendent), was also presented on first reading on Tuesday. HB 1005 would abolish the elected office of the Superintendent and, beginning in the year 2021, would create a position appointed by the Governor that mirrors the current job. Although this is a move that has been publicly supported by Governor Holcomb, it is one that will attract quite a bit of attention and will most likely result in debate on the House and Senate floors as it continues through the legislative process.

**Senate**

The second week of the legislative session progressed smoothly for the Indiana Senate. While a large number of bills were still being handed down on first reading, Senate committees began to meet with committee reports being drafted. On Thursday, January 12, the Senate received a large batch of committee reports for review, indicating that the Senate is ahead of the game, as Thursday at 4:00pm was the deadline for filing Senate Bills. Although quite a few Senate bills that have been handed down so far have addressed public safety matters, in particular the opioid crisis, there is certain to be additional legislation handed down addressing this topic, as was indicated by Senator Merritt who is spearheading the initiative.
Looking Ahead

Both the House and the Senate will be adjourned on Monday in observation of Martin Luther King Jr. Day. Both houses will reconvene on Tuesday, January 17th. Thursday, January 19 is the last day Senate bills may be assigned to Senate committees.

Additionally, budget hearings will continue on in the House Ways and Means committee, focusing on Higher Education funding. The Ways and Means committee is scheduled to meet Tuesday, January 17th at 9:00am and Wednesday at 9:00am. In addition, the House committee on Roads and Transportation will meet on Wednesday, January 18th at 10:30am.

The State of the Judiciary address will take place at 2:00pm on Wednesday, January 18th in the House Chamber.

Governor Holcomb’s Executive Orders

After his inauguration, Governor Holcomb signed the following executive orders;

**Creation of the position of “Executive Director for Drug Prevention, Treatment, and Enforcement”**

This position, now created, shall be a part of the Office of the Governor. The Executive Director will also be appointed to the Indiana Commission to Combat Drug Abuse (the “Commission”) as chairperson, as a representative of the Governor, responsible for setting the agenda for the Commission, in order to promptly, comprehensively and proactively respond to, and recover from, the drug epidemic affecting our State.

**Continuing the Governor’s Emergency Advisory Group and Other Emergency Measures**

This executive order states that the Governor’s Advisor Group and other emergency action members will continue including the Indiana State Hazard Mitigation Council. The Emergency Advisory Group or EAG will be composed of several members with the Director of Indiana Department of Homeland Security if (IDHS) serving as chair for both. The directive is to maintain a high standard of emergency services while also taking care not to duplicate duties as prescribed in Indiana Code

**Continuing the Indiana Toll Road Oversight Board**

The Board will consist the following, all appointed by the Governor, the Governor’s designee to serve as the Board chairperson, Commissioner of INDOT, Indiana Finance Authority (IFA) Chairman, and four Indiana residents with knowledge, experience or education in economic and business development, or highway engineering, construction, planning or operation. The Board will provide advice, counsel and reports to the Governor and the IFA as it oversees the operation and maintenance of the Indiana Toll Road.

**Continuing the Indiana State Trauma Care Committee**

This Committee shall advise the Governor and the State Health Commissioner regarding the development and implementation of a comprehensive statewide trauma system. The Governor will appoint a 13-member committee to oversee the Indiana State Trauma Care fund. The fund will be able to accept gifts, grants, and donations to go toward the development of a comprehensive statewide trauma system, which will be administered by the State Department of Health.

**Continuing the Office of Public Finance**

The Public Finance Office shall be managed by Public Finance Director, who shall specialize in public finance, debt issuance, and management and pension investment
matters for the State. The Director of Public Finance shall report to the Director of the Office of Management and Budget, whom shall be appointed by the Governor. The Director of Public Finance Director shall coordinate, and monitor the debt issuance and management and investment activities of all the Issuers and Programs.

Continuing the Indiana State Historical Records Advisory Board
The Board shall consist of seven members that will be appointed by the Governor, including the State Historical Records Coordinator, who will chair the board. A majority of the members will have recognized experience in the administration of government records, historical records, or archives. The Board will serve as the central advisory body for the historical records planning and for the National Historical Publications and Records Commission (NHPRC) - funded projects developed and carried out within the State of Indiana.

Continuing WGU Indiana in Partnership with Western Governors University to Expand Higher Education Opportunities for Hoosiers through On-Line Competency-Based Education
This Executive Order commits the State of Indiana to continue to partner with WGU Indiana. The state will establish institutions chartered as WGU to enhance access for the people of the state to obtain an on-line degree. WGU Indiana students will be able to collect financial aid and the Division of Student Financial Aid on the same basis as public universities. WGU Indiana will have an advisory board whose members shall be appointed jointly by the Governor and WGU.

Continuing the Office of State-Based Initiatives
The Office of State-Based Initiatives was created by Executive Order in 2013 in order to review the state’s federal grant opportunities and subject them to a cost-benefit analysis to measure each grant’s fiscal and regulatory impact, in order to make an informed decision as to whether or not to pursue the opportunity. The Governor has ordered that this office shall be continued with the same responsibilities. All state agencies shall receive approval from this office prior to participating in any federal grant opportunities and the office shall comply with all requirements set forth by the Governor.

Continuing the Governor’s Management and Performance Hub
The Governor’s Management and Performance Hub (MPH) will be continued in order to continue sharing data, maximizing the utilization of available resources, and ensuring that state services are available to all Hoosiers. The Indiana Office of Technology (IOT), established under Ind. Code 4-13.1-2-1, stores data and is responsible for ensuring the protection of data in compliance with all applicable laws. The IOT, as directed through the Office of Management and Budget (OMB), will continue to work with state agencies with respect to the MPH's data needs and technical requirements. The OMB will provide recommendations to the Governor as to how data collected by the agencies should be used to drive innovation and improvement for Indiana.

Continuing the office of Faith-Based and Community Initiatives as Serve Indiana and the Indiana Commission on Community Service and Volunteerism as the Serve Indiana Commission as a Division of the Department of Workforce Development
The Office of Faith-Based Initiatives (OFBCI) shall be continued as Serve Indiana as a division of the Department of Workforce Development (DWD). There will be a Serve Indiana Commission in which all members are appointed by the Governor for a term of three years. This commission will focus on applying for grants through the Corporation for National and Community Service as well as distributing those funds for charitable endeavors.
Continuing the Indiana Executive Council on Council on Cybersecurity
This Executive Order establishes The Indiana Executive Council on Cybersecurity whose chair will be the Executive Director of the Indiana Department of Homeland Security. The Council shall establish and maintain a strategic framework document that defines high-level cybersecurity goals for the State. The Council shall also develop and maintain an implementation plan for accomplishing strategic objectives.
Please feel free to contact a member of our legislative team should you have questions regarding the happenings in the Indiana General Assembly!

Brian Burdick  
Office: (317) 231-7393  
Email: brian.burdick@btlaw.com

Joe Loftus  
Office: (317) 231-7213  
Email: joseph.loftus@btlaw.com

Bill Moreau  
Office: (317) 231-7349  
Email: bill.moreau@btlaw.com

Jake German  
Office: (317) 231-7538  
Email: jacob.german@btlaw.com

Heather Willey  
Office: (317) 231-6448  
Email: heather.willey@btlaw.com

Ali Miranda  
Office: (317) 231-7291  
Email: alexandra.miranda@btlaw.com

Steve Wolff  
Office: (317) 261-7845  
Email: stephen.wolff@btlaw.com

Matt Guell  
Office: (317) 231-7219  
Email: matthew.guell@btlaw.com

Madison Quick  
Office: (317) 231-7725  
Email: madison.quick@btlaw.com