



20
The Corydon Group
YEARS

SESSION – WEEK 7
February 19, 2021

INCPAS Weekly Update

Click here for current Bill Track:

INCPAS <https://tinyurl.com/INCPAS2021Session>
INCPAS Priority <https://tinyurl.com/INCPASPriority2021Session>
INCPAS - TAX <https://tinyurl.com/INCPASTax2021Session>

This recently concluded week at the Statehouse has seen the passage of very important deadlines. As you review your bill track, any House bill that does not contain in the action list “ordered engrossed” is now considered dead for the session. Any Senate bill that does not contain in the action list “committee report adopted”, is considered dead for the session. Please note, all that is actually dead is the number. The subject matter could still be amended into another bill during the session.

Over the next couple of days, the state’s website will be updated. By early next week, all bills that are not alive will be removed from the bill track.

There will not be an update next week.

Senate Moves to Curb Gubernatorial Powers

Like the House and HB 1123, the Senate is seeking to address what many see as an imbalance of power between the legislative and executive branches during an emergency. Senate Bill 407 – Gubernatorial Powers, authored by Senator Sue Glick (R – LaGrange), limits the authority of the governor to extend certain types of emergency orders without legislative approval. It passed the Senate Rules and Legislative Procedure Committee 12-0 on Tuesday and is eligible for additional action by the Senate.

SB 407 allows the governor to issue an initial 30-day emergency order and further allows the governor to extend the order once for 15 days without seeking legislative approval. It then requires the governor to convene the legislature in a special session (if the legislature is out of session) to consider the governor's request to extend beyond this initial order. This differs from HB 1123, which creates an emergency session allowing lawmakers to convene once the Legislative Council passes a resolution calling the legislature back during an emergency and limiting the types of bills and resolutions it may act upon during the emergency.

Sen. Glick explained SB 407 broadens "the number of people involved in the decision-making process" and seeks to give the legislature a greater say in how federal aid provided during an emergency is spent. Sen. Glick articulated the rationale behind her bill and the frustration of the legislature during the past year, when she said, "I think all of us, both minority and majority members, felt left out."

Energy Bills Move

The General Assembly is considering several bills to enhance Indiana's power generation ability and review present and future energy needs. Representative Ed Soliday (R – Valparaiso) and Senator Eric Koch (R – Bedford), who chair their chamber's respective energy and utility committees, are taking the lead and employing a methodical approach to study generation, ensure there is a market for new energy sources, and that the state's infrastructure is adequate to meet the needs of Hoosier industry.

To ensure there is a market for new energy sources, Rep. Soliday authored House Bill 1381 – Commercial Wind and Solar Standards and Siting, which establishes basic standards for commercial wind

Upcoming Deadlines

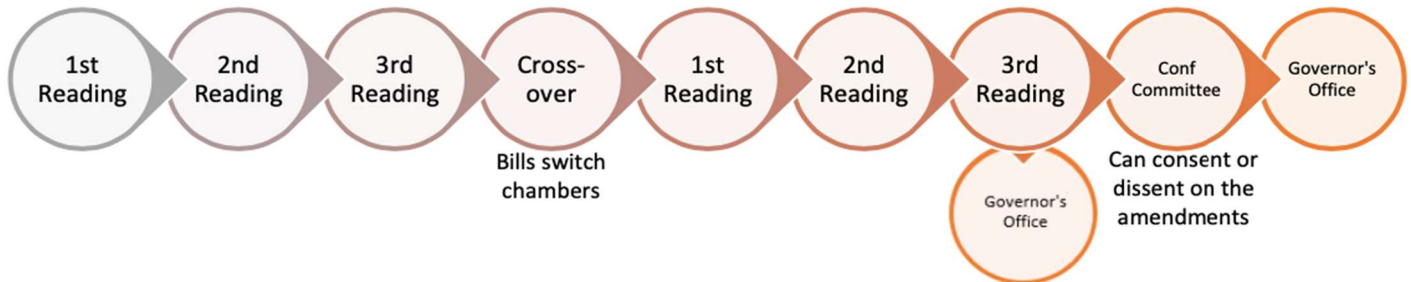
Feb. 22nd – House 3rd Reading Deadline; Senate 2nd Reading Deadline

Feb. 23rd – Senate 3rd Reading Deadline

and solar energy projects, including installation, setback requirements, height restrictions, and aesthetics. Opponents of the bill argue that the standards promote a one-size-fits-all approach to projects that should be regulated by local officials. Rep. Soliday and proponents argue that having a "patchwork" of regulations disincentivizes the development of renewable energy projects. The controversy was demonstrated by the closeness of the 58-39 vote on Wednesday. "There is a market for renewables," Soliday said. "Our manufacturers want renewable energy and they're going to get it no matter what, whether that is from out of state or here in Indiana."

To ensure that utilities would be able to take advantage of renewable energy as a part of their portfolio, Sen. Koch authored Senate Bill 386 – Cost Securitization for Electric Utility Assets, which allows an electric utility to seek financing through

The Legislative Process



securitization bonds, using the state's AAA bond rating to pay off outdated assets sooner. It passed the Senate on Monday 39-6.

Rep. Soliday also authored HB 1520 – Electric Utility Reliability Adequacy Metrics, which directs electric generating facilities to maintain facilities utilizing accepted standards. The bill also requires utilities to file a report with the Indiana Utility Regulatory Commission (IURC) detailing their generating assets, the power-generating capacity of their combined assets, the expected demand on the utility, and how the utility will meet their reserve obligations. The House passed HB 1520 93-0 last week.

First Half Wrapping Up, Key Deadlines Loom

The first half of session is concluding, and several key deadlines are upcoming. On Monday, February 22nd the House has its 3rd reading

deadline and the Senate has its 2nd reading deadline; Tuesday, February 23rd is the Senate's 3rd reading deadline. After that Senate deadline, the chambers will swap bills and the process will restart the week of March 1st.

For the second half of session, leadership in each chamber will compile bill lists and assign Senate bills to House committees and House bills to Senate committees. This process is the first reading. A bill is then scheduled for a hearing by the committee chair at which point legislators review the legislation, take public testimony, and address any issues that emerge.

Amendments can be made during this committee stage of the process.

If a bill is passed out of committee, then it goes to the full Senate or House for further consideration on second reading when the author or sponsor of the bill may "call it down" for floor debate and each member may offer

amendments. An amendment needs a simple majority to pass and be incorporated into a bill. The bill is then moved to the third reading calendar. Third reading is the final opportunity to debate a bill and then vote on its final passage.

If a bill advances through the second chamber without any amendments, it proceeds to the governor for final consideration. If the bill is amended and the chamber of origin agrees with the changes, the bill author files a concurrence motion. The entire chamber must pass the motion and the bill then proceeds to the governor for final consideration.

If changes were made in the second chamber that the author of the original bill does not like, a dissent motion is filed, and the bill is assigned to a conference committee. Conference committees are made up of one House Republican, one House Democrat, one Senate Republican, and one Senate Democrat.

If a compromise can be reached, all four members must sign the final conference committee report and each chamber must pass the conference committee report for the bill to advance to the governor's desk.

Once the governor receives a bill, he has seven days to either sign it into law, allow the bill to become law without his signature, or veto it. The General Assembly can vote to override a veto with a simple majority in each chamber.

Lawson Announces Her Resignation

Secretary of State Connie Lawson, the longest-serving secretary of state in Indiana history, announced her resignation this week. Lawson was appointed to the office by former Governor Mitch Daniels in March 2012 and won reelection in 2014 and 2018.

Lawson spent 32 years in public service. She served for eight years as the elected clerk of the Hendricks County Circuit Court and then as a state senator for 16 years, where she became the first woman to serve as majority floor leader.

Part of Secretary Lawson's legacy will be her commitment

to ensuring the security and integrity of Indiana's elections and working to modernize the election process. She also sought to increase Hoosiers' financial literacy and protect Indiana investors during her tenure.

"Like many Hoosiers, 2020 took a toll on me," said Lawson. "I am resigning so I can focus on my health and my family. I will work with Governor Holcomb to ensure our next secretary of state is up to the task and has the tools and resources to hit the ground running."

Governor Holcomb now will appoint a successor to take Lawson's place.

COVID Immunity Bill Signed by Governor

Senate Bill 1, authored by Sen. Mark Messmer (R-Jasper), gives businesses, not-for-profits, schools, and religious organizations immunity from COVID-19 civil liability lawsuits.

Last week, the House amended SB 1 with changes to language regarding nursing home standards and passed it 72-21. The Senate voted 39-7 to concur with the House changes and Governor Holcomb signed the modified version into law on Thursday, February 18.

The Corydon Group

2021 Legislative Team

Chris Gibson
Managing Principal

Lou Belch
President

Carlin Yoder
Vice President

Kim Williams
Vice President, Assoc Management

Cam Carter
Vice President, Communications

Rachel Gibson
Vice President, Operations

Morgan Perrill
Sr Director, Strategic Initiatives

Sydney Moulton
Senior Associate

Steve Wolff
Senior Associate

Cory Martin
Director, Assoc Management

Calleigh Smith
Associate

Cassie Denney
Associate

Will Buetow
Legislative Intern