



STATE LEGISLATIVE UPDATE

January 2018

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Political Overview for the State of Indiana

- ▲ The 2018 election season has begun in earnest. Election filing for placement on the May primary ballot opened earlier in January and continues through noon on February 9th.
- ▲ Leading the way this election season will be the races for US Senate, Indiana Secretary of State, Indiana State Treasurer and Indiana State Auditor.
- ▲ All 100 seats in the Indiana House of Representatives are up for election, as are 25 of the Indiana State Senate's 50 seats.

2018 State/Federal Election Watch

- ▲ Current Republican Secretary of State Connie Lawson is seeking re-election in 2018. The only announced Democrat candidate is Jim Harper.
- ▲ Current Republican State Treasurer Kelly Mitchell is seeking re-election in 2018.
- ▲ Current Republican State Auditor Tera Klutz is seeking re-election in 2018.
- ▲ To date, 12 State Representatives have signaled that they will not be seeking re-election next year: St. Reps. Tom Washburne (R-Evansville), Steve Stemler (D-Jeffersonville), Minority Leader Scott Pelath (D-Michigan City), Charlie Brown (D-Gary), Wes Culver (R-Goshen), Greg Beumer (R-Farmland), Jim Baird (R-Brazil), Kathy Richardson (R-Noblesville), Linda Lawson (D-Hammond), Clyde Kersey (D-Terre Haute), Bill Friend (R-Macy), and Milo Smith (R-Columbus).

- ▲ Two sitting State Senators will not seek re-election next year: St. Sens. Doug Eckerty (R-Yorktown) and Jim Smith (R-Charlestown).
- ▲ Additionally, four other state legislators resigned their seats in 2017 and early 2018, three of which have been replaced through special caucuses. Senate District 20 senator Luke Kenley resigned September 30th and was replaced by Senator Victoria Spartz. House District 74 representative Lloyd Arnold resigned in October and has been replaced by Rep. Steve Bartels (R-Eckerty). House District 63 representative Mike Braun left his post in early November to run full-time for the US Senate seat. His replacement in the legislature is Rep. Shane Lindaur (R-Jasper). Senate District 7 senator Brandt Hershman resigned effective January 2nd, and the caucus to replace him was called for Thursday, January 25th.
- ▲ In Leadership news, after House Minority Leader Scott Pelath (D-Michigan City) announced that he would step down from his leadership position effective on Organization Day last November, and not seek re-election in 2018, the House Democrats chose St. Rep. Terry Goodin (D-Austin) to serve as the House Minority Leader.
- ▲ **4th Congressional District US House of Representatives Candidates (to date):**
 - Democrats**
 - Tobi Beck
 - Joe Mackey
 - Sherry Shipley
 - Republicans**
 - State Rep. Jim Baird



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- Steve Braun
- Kevin Grant
- Diego Morales
- Jared Thomas

▲ 6th Congressional District US House of Representatives Candidates (to date):

Democrats

- Arturas Kerelis
- Jeannine Lee Lake
- Jim Pruett
- Lane Siekman

Republicans

- Jonathan Lamb
- Stephen MacKenzie
- Greg Pence

▲ US Senate Candidates (to date)

Democrats

- Incumbent Joe Donnelly

Republicans

- Mike Braun
- Terry Henderson
- Mark Hurt
- Luke Messer
- Todd Rokita
- Andrew Takami

General Legislative Information

- ▲ The fourth week of the ten week 2018 state legislative session is now complete. The committee deadline in both the House and Senate is coming up next week, Tuesday January 30th in the House and Thursday, February 1st in the Senate.
- ▲ Allowing Sunday alcohol sales in Indiana advanced another step closer to reality this past week. Senate Bill 1 was approved by the full Senate by a vote of 39-10 and now moves to the House for further consideration. House Bill 1051, approved by the House Public Policy Committee last week by a vote of 12-1, was approved by the full House by a vote of 87-10. Both pieces of legislation now move to the other chamber for consideration. In the end, only one bill will be necessary. It remains to be seen which version that will be.
- ▲ Momentum continues on efforts to legalize the sale and use of CBD oil (cannabidiol). House and Senate Leadership continue to be supportive. Senate Bill 52 was heard in committee, amended, and now specifically makes a hemp product that contains less than .3% of THC legal for anyone who wants to buy it. The full Senate will take the bill up next week.
- ▲ Education, workforce development, and the fight against opioid addiction continue to be significant areas of focus for the legislature this session. Several pieces of legislation are being heard in committee and are progressing through the legislative process.



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- ▲ Several local government related bills have seen committee activity, including a measure dealing with the recording of annexation remonstrance waivers (Senate Bill 261), a measure that would limit municipalities to the adoption of one annexation ordinance per calendar year (Senate Bill 171), and a measure that requires sewage works contracts to include a release of the property owner's right to remonstrate against an annexation, but allows a municipal works board to waive the release requirement if it finds it to be in the municipality's best interest to do so (House Bill 1023).
- ▲ Gun rights continue to be debated in the General Assembly this session, notably the issue of constitutional carry (no permit necessary) in Indiana. House Bill 1424 would have eliminated carry permits in our state, but the measure was substantially amended in the House Public Policy Committee. HB 1424 now extends the current 4-year carry permit to a 5-year permit, with a one time National Instant Criminal Background Check System (NICS) federal background check required at the time of permitting, but an individual would be exempt from the background check when purchasing a gun. The bill also removes the fees associated with a lifetime carry permit, which creates a significant fiscal impact to the state. HB 1424 was approved by the committee, 12-1, and now moves to the full House for consideration.

Energy/Utility Specific Information

- ▲ On the energy/electric utility front, the House Energy, Utilities and Telecommunications committee met this week. The committee took action on two bills which had been heard previously, House Bills 1050 and 1267, and took testimony only on a third bill, House Bill 1065.

- ▲ HB 1050 is a follow-up bill to last year's Senate Enrolled Act 213, and deals with the issue of small cell wireless support structures in municipal ROWs. Last year's bill allowed municipalities, during a very narrow window of time, to pass ordinances or resolutions that would designate underground only utility areas. As introduced, HB 1050 would not preclude the local ordinances that were passed, but simply narrowed the parameters of last year's legislation. It also defined "wireless support structure" so that it excluded a utility pole owned or operated by a public utility (IOU), a municipality or an REMC. The intent of the legislation is to refocus the policy discussion to the deployment of new small cell wireless facilities.
- ▲ As amended this week, HB 1050 now provides that a resolution or ordinance, that was adopted by a municipality after April 14, 2017 and before May 2, 2017 and that designates an area as strictly for underground or buried utilities, applies only to those areas that are zoned residential and where existing utility infrastructure is already buried. The committee voted the amended bill out of committee, 11-2.
- ▲ House Bill 1267, also heard last week but held for a vote, establishes a Water Infrastructure Task Force to study certain water infrastructure issues and develop a long term plan for addressing drinking water, wastewater and storm water management needs in Indiana. Basically, the task force would take all of the previous studies done in these areas and come up with the best plan going forward. The committee approved a couple of amendments to the bill, one that makes some changes to the make-up of the task force and the other that requires the task force to be subject to the open door and public records laws. The bill was voted out of committee 13-0. A similar bill is moving in the Senate, Senate Bill 361.



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- ▲ The final bill considered, House Bill 1065, pertains to high speed internet service. As introduced, this bill seeks to 1) move the administration of the state's rural broadband deployment initiative from the IEDC to the IURC; 2) increase the minimum downstream and upstream speed thresholds for broadband services to align more closely with federal speed standards; and 3) direct the IURC to study certain topics related to broadband in Indiana and report back to the legislature.
- ▲ The committee will meet one last time for the first half of the session next Monday and will consider amendments to HB 1065, and then vote on the measure.
- ▲ Next week, the Senate Utilities Committee will have one final meeting for the first half of the session, and will likely consider amendments to SB 125 (underground utility locates) and SB 258 (small cell wireless structures in ROWs).

Indiana Regulatory Information

- ▲ Seven individuals have applied for the open Commissioner position on the Indiana Utility Regulatory Commission (Chairman Jim Atterholt's resignation was effective January 12th):
 - **Rep. David Ober** (R-Albion), current Chair of the House Utilities, Energy and Telecommunications Committee
 - **Eric M. Hand** – Deputy Consumer Counselor
 - **Stephanie Krevda** – IURC Executive Director of External Affairs
 - **Allen Mounts** – Director of the Evansville Water and Sewer Utility
 - **Michael R. Shaver** – President of Wabash Scientific, a governmental consulting firm
 - **Marcus Turner** – Avon Town council member, and IURC principal utility analyst
 - **Tristan Vance** – Director of the Indiana Office of Energy Development
- ▲ The IURC Nominating Committee will interview each applicant and then give Governor Holcomb a list of three candidates for his consideration. No time frame has been set to date.
- ▲ Current IURC Commissioner Jim Huston is the Interim IURC Chairman.

Sessions of the Indiana General Assembly are broadcast over the Internet.
In order to access the daily activities of all committees and Floor activities, go to www.iga.in.gov.