



STATE LEGISLATIVE UPDATE

January 2019

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General Legislative Information

- ▲ The first three weeks of the 16 week 2019 “long” legislative session are complete, with the dust finally settling on the introduction of bills and joint resolutions. There are 647 Senate Bills and Joint Resolutions. We are still waiting for the final bill list out of the House. At this point, we have seen about 650 House Bills, and expect the total will be around 800, for a final count of perhaps 1,500.
- ▲ Important deadlines coming up: all legislative business, by statute, must be completed by midnight on April 29th. At this point, the General Assembly hopes to finish its work by April 26th. Committee activity deadlines in the House and Senate are February 19th and 21st, respectively, with the half-way point of the session coming in approximately 5 weeks.
- ▲ Early this month, all four caucuses of the General Assembly put forth their respective visions for the session. While there are several policy areas that have bipartisan support in both the House and Senate, including raising teacher pay and strengthening the IN Department of Child Services, the inevitable partisan wrangling is already taking shape over how to craft the state budget, and solve problems associated with health care, potential bias crime legislation, and several others.
- ▲ Governor Eric Holcomb delivered his third State of the State address to the General Assembly on January 15th. The Governor fully outlined his legislative priorities for the legislature. He remains committed to increasing teacher pay and education funding in general, workforce development, and inclusive hate crimes legislation.
- ▲ Top issues continue to be: K-12 education funding, bias crimes, sports gaming, school safety, guns, legalization of marijuana, annexation, workforce development, broadband deployment and many other social, economic, criminal justice, environmental and local government matters.
- ▲ Several annexation bills have been introduced, with most of them being less than favorable to municipalities generally. Of particular note are Senate Bills 94 and 535. SB 94 includes several damaging provisions aimed at curbing what little annexation authority remains for local units. The bill voids annexation waivers, adds some significantly onerous petition language and basically eliminates any involuntary, municipally-driven annexations. SB 535 concerns extraterritorial jurisdiction of municipalities. The bill would effectively eliminate a city or town’s ability to regulate or exercise its authority outside of its corporate boundaries, including planning and zoning, eminent domain, and regulating watercourses within 10 miles of the municipality.
- ▲ On the utility and energy fronts, several bills have been introduced that we are reviewing and will be watching closely. Electric industry issues will not dominate the session, but there are bills of interest pertaining to water infrastructure, sewer and water connections through rights-of-way, telephone solicitation, and broadband development. There are a few bills addressing net metering again this session, but for the most part, those bills do not impact IMPA’s municipal electric communities. The IOUs are advocating for language that effects the Transmission, Distribution and Storage Improvement Charges (TDSIC) statute (House Bill 1470). At this time, IMPA’s municipal electrics have no concerns with that legislation.



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- ▲ Of particular note for all municipal utilities (not only electric) is House Bill 1347. There are two parts to this bill. The first part basically seeks to prohibit a municipality from holding a property owner (landlord) responsible for a renter's utility bill if the service is in the renter's name and the renter is delinquent or doesn't pay their bill. Currently, many municipalities have local ordinances in place stipulating that utility services can be in a renter's name, however, a property owner is still ultimately held liable for utility bill payments if the renter fails to pay their bill. Some other municipalities require utility services to be in the property owner's name. This is concerning for municipalities that have municipal water, wastewater, and/or electric utilities as it would eliminate an avenue to help the utility recover delinquent/unpaid accounts, which contribute to the municipality's overall uncollectable debt. The second part of the bill creates a Policy Review Committee for a municipally owned utility that has properly withdrawn from IURC jurisdiction. The purpose of the committee is to receive customer complaints against the utility, be it policies, rates or even service quality and then is to work out resolution with the city or town Council or USB. This causes concern as it would potentially be an end run around a utility that has previously – and lawfully – withdrawn from IURC jurisdiction. Municipalities already have a process in place through their city/town councils and/or utility service boards to hear from their customers on any issue.
- ▲ The Senate Utilities Committee and the House Utilities, Energy and Telecommunications Committee have each met once so far this session.
- ▲ We will be keeping a keen eye on these bills and all legislation that could have an impact on IMPA and Indiana's municipal electric utilities.

Indiana Municipal Power Agency 2019 Legislative Reception

- WHERE:** Indiana Historical Society
450 W. Ohio St., Indianapolis
- WHEN:** Monday, January 28, 2019
5:30 pm - 7:30 pm
heavy hors d'ouvres, cocktails & conversation
- WHO:** Legislators, Municipal Electric Representatives,
Local Officials, Spouses/Guests
- RSVP:** Karen Pomeroy
317.428.6717 or karenp@impa.com
- OR**
- Carolyn Wright
317.575.3873 or cwright@impa.com

