

Indiana Cast Metals Association Final Report
Report created on March 25, 2016

HB1082 ENVIRONMENTAL RULES AND POLICIES (WOLKINS D) Requires the department of environmental management (IDEM) to report annually to the legislative council: (1) any administrative rule adopted by the environmental rules board (board) or proposed by IDEM; (2) any operating policy or procedure instituted or altered by IDEM; and (3) any nonrule policy or statement put into effect by IDEM; during the previous year that constitutes a change in the policy previously followed by IDEM under the provisions of IC 13 and the rules adopted by the board. Provides that, if notice given by IDEM concerning a proposed rule identifies an element of the proposed rule that imposes a restriction or requirement more stringent than a restriction or requirement imposed under federal law, the proposed rule does not become effective until the adjournment sine die of the regular session of the general assembly that begins after IDEM provides the notice. Provides an exception for the adoption of emergency rules in response to emergency situations.

Current Status: 3/24/2016 - **VETOED BY GOVERNOR**

Recent Status: 3/17/2016 - Signed by the President of the Senate
3/10/2016 - Signed by the President Pro Tempore

HB1290 STATE AND LOCAL ADMINISTRATION (BROWN T) Reorganizes the statutes concerning riverboat admissions tax distributions by: (1) moving distribution provisions for the Lake County riverboats into a new section organized by riverboat; and (2) moving into a new section provisions concerning the use of admissions tax revenue and the supplemental distribution. Allocates the admissions tax revenue that is paid to the northwest Indiana redevelopment authority (RDA) in satisfaction of Lake County's obligations to the authority equally among the four riverboats operating in Lake County. Changes the deadline for paying the supplemental distribution from September 15 to July 15. Provides for quarterly payments of admission taxes used to reimburse the state for certain income tax credits provided in Lake County and to provide additional funding to the authority. Eliminates the requirement that admissions taxes paid to the Lake County convention and visitor bureau be deposited in a county convention and visitor promotion fund. Provides that the economic development projects that may be carried out by the RDA include destination based economic development projects that meet certain conditions. Provides that the RDA may make loans, loan guarantees, and grants or provide other financial assistance to or on behalf of a member municipality that meets certain requirements. Authorizes the department of local government finance (DLGF) to incorporate by reference in an administrative rule certain formatting, coding, and transmission requirements for data that must be submitted by counties. Provides that the treasurer of state shall discharge any remaining unpaid interest on the obligation issued by the capital improvement board to the treasurer of state in 2009, if the capital improvement board submits payment of the principal amount to the treasurer of state before the stated final maturity of that obligation. Specifies that for purposes of the industrial recovery tax credit, "industrial recovery site" means land on which a vacant plant having at least 100,000 square feet of total floor space: (1) exists as of the date an application is filed with the Indiana economic development corporation (IEDC) and was placed in service at least 15 years before the date on which an application is filed with the IEDC; or (2) existed five years before the date an application is filed with the IEDC and was placed in service at least 15 years before the date on which the vacant plant was demolished. Deletes from current law the process involving an application to the IEDC for designation of a location as an industrial recovery site. Provides that if the IEDC approves a taxpayer's application for an industrial recovery tax credit, the IEDC shall require the applicant to enter into an agreement as a condition of receiving a tax credit. Repeals provisions enacted in 2015 concerning the assessment of: (1) certain limited market or special purpose property; and

(2) commercial nonincome producing real property. Provides that in addition to the factors under current law, the DLGF shall also provide for the classification of improvements on the basis of market segmentation. Provides that a holder of a tax sale certificate may not bring a property tax appeal. Updates the definition of the Internal Revenue Code to incorporate changes made by Congress through January 1, 2016. Provides for refund of any gasoline tax paid on a fuel blend nominally consisting of more than 89% ethanol and less than 11% gasoline. Reestablishes the county misdemeanor fund formula that was repealed by HEA 1006-2015. Provides that an initial award from the safety PIN (protecting Indiana's newborns) grant fund may be up to 60% of the total approved grant amount. Specifies that the 2015 budget act appropriation from the tobacco master settlement agreement fund to the safety PIN program is to be deposited in the safety PIN grant fund and that any unused appropriation remains in the safety PIN grant fund. Specifies that the following apply to funds of redevelopment commissions: (1) The funds must be accounted for separately and the daily balance of the funds must be maintained in a separate ledger statement. (2) The funds must be accessible to the redevelopment commission at any time, unless this requirement is waived by the redevelopment commission. (3) The amount of the daily balance of the funds must not be below zero at any time. (4) The funds may not be maintained or used in a manner that is intended to avoid the procedures and requirements for a waiver. Provides that a fiscal body of a unit may request approval from the redevelopment commission to waive the requirement that all funds must be accessible to the redevelopment commission. Provides that, if a loan is made to a unit from the funds, the loan must be repaid by the unit not later than the end of the calendar year. Specifies additional information that must be reported by each redevelopment commission to the unit's executive and fiscal body and to the DLGF. Allows certain property taxpayers to file for a property tax exemption if the property would have qualified for the exemption if an exemption application had been timely filed.

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HB1300 ENVIRONMENTAL MANAGEMENT MATTERS (WOLKINS D) Eliminates references to certain administrative rules that have been repealed. Revises the definition of the term "land application". Provides that the terms "land application operation" and "solid waste" apply to the chapter of the law on wastewater management. Changes the conditions under which the commissioner of the department of environmental management (department) may revoke a temporary variance from an environmental administrative rule. Revises a provision concerning the type of: (1) NPDES permit applications; and (2) applications to renew or modify NPDES permits; for which an antidegradation review is required. Requires the environmental rules board (board) to adopt rules concerning land application of solid waste and industrial waste products. Repeals a section providing for the expiration of the law on mercury switches in end of life vehicles. Changes, from December 31, 2015, to May 1, 2016, the date by which the commissioner of the department is required to submit a report summarizing the information obtained from recycling activity reports concerning the previous calendar year. Amends the law concerning the department's annual report on the implementation of the electronic waste law to provide that the report must discuss the total weight of covered electronic devices recycled during the previous program year (rather than fiscal year). Provides that the statute concerning environmental legal actions does not apply to an action brought by the state arising from a site considered a high priority site or the site of a release considered a high priority release under the rules of the board concerning priorities in the selection of hazardous substance response sites. Specifies that, under the law concerning rates and charges established by regional water, sewage, and solid waste districts, just and equitable rates and charges are those that give due consideration to the interests of the ratepayers.

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HB1344 UNEMPLOYMENT INSURANCE (LEONARD D) Abolishes the Indiana unemployment compensation board and transfers the board's duties to the department of workforce development (department). Revises the circumstances under which the department may waive work search requirements for an individual receiving benefits. Provides that, after an individual begins receiving benefits, the individual must visit and receive an orientation to the services available through a one stop center in order to maintain eligibility to receive benefits. Allows the department to waive the orientation requirement under certain circumstances. Requires the department to submit a report to the general assembly and the governor before December 1 of each year concerning the status of the unemployment compensation system. Requires the department to make a presentation at each meeting of the budget committee held before November 1, 2016, concerning this same information. Limits the amount of money from the special employment and training services fund (fund) that can be used by the department for certain purposes to not more than \$5,000,000 per state fiscal year, unless the budget committee approves an additional amount. Provides that grants from the fund to various state educational institutions for apprenticeship programs and training and counseling assistance: (1) are the first expenditures from the fund each state fiscal year; and (2) are contingent only on the availability of money and do not require approval by the department. Urges the legislative council to assign to the interim study committee on employment and labor or another appropriate interim study committee during the 2016 legislative interim the topic of establishing a committee or board to oversee the unemployment insurance trust fund and the fund. Makes conforming and technical amendments.

Current Status: 3/23/2016 - **SIGNED BY GOVERNOR**

Recent Status: 3/16/2016 - Signed by the President of the Senate

3/10/2016 - Signed by the President Pro Tempore

SB1 ADMINISTRATIVE LAW STUDY COMMISSION (STEELE B) Establishes the 12 member administrative law study commission (commission) to study issues concerning whether administrative law judges and environmental law judges should be replaced by an administrative court that conducts administrative hearings and other duties currently conducted by administrative law judges and environmental law judges. Requires the commission to submit a final report to the legislative council concerning the commission's findings and recommendations before November 1, 2016.

Current Status: 3/21/2016 - **SIGNED BY GOVERNOR**

Recent Status: 3/14/2016 - Signed by the President of the Senate

3/2/2016 - Signed by the Speaker

SB255 UNDERGROUND PETROLEUM STORAGE TANKS (CHARBONNEAU E) Provides for the underground petroleum storage tank excess liability trust fund to be referred to as the "ELTF". Eliminates a provision stating that fees and penalties paid in connection with underground petroleum storage tanks are a source of funds for the ELTF. (Under IC 13-23-6-2 and IC 13-23-12-4, those fees and penalties are deposited in the underground petroleum storage tank trust fund, not in the ELTF.) Repeals IC 13-23-7-9, a provision under which knowingly or intentionally making a material misstatement in connection with an application for financial assistance from the ELTF is a Level 6 felony. (IC 13-23-9-6, a nearly identical provision, is not repealed.) Eliminates the authority of the department of revenue to impose a lien on the property of an underground storage tank owner for failure to pay annual registration fees. Eliminates certain conditions for the payment of claims

from the ELTF and limits on the amounts that can be paid from the ELTF under certain circumstances, and provides instead that the administrator of the ELTF shall pay claims that are: (1) for costs related to "eligible releases"; (2) submitted by an "eligible party"; and (3) submitted in accordance with certain requirements. Provides that the administrator of the ELTF: (1) shall pay claims according to a certain priority payment system if the balance in the ELTF drops below \$25,000,000; and (2) shall cease paying claims if the balance in the ELTF becomes insufficient to pay ELTF claims and necessary personnel and administrative expenses. Prohibits the administrator of the ELTF from paying: (1) more than \$2,500,000 from the ELTF per eligible release; or (2) more than \$10,000,000 from the ELTF per fiscal year. Provides that the total amount otherwise available from the ELTF in connection with an eligible release shall be reduced by a "deductible amount" of \$15,000 and, if applicable, the sum of: (1) all annual registration fees for underground storage tanks (USTs) located at the site of the eligible release that were due in 1991 or later and not paid in the year they were due; and (2) an additional \$1,000 for each UST annual registration fee not paid in the year it was due. Revises provisions concerning the procedure for submitting and paying claims for payment from the ELTF. Requires the department of environmental management, using money from the ELTF, to arrange for an independent actuarial study examining the future obligations and fiscal sustainability of the ELTF once every five years.

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SB256 **LEGITIMATE USE OF SOLID WASTE AND WASTE TIRES** (CHARBONNEAU E) Defines "legitimate use" of a material as the use or reuse of a material, otherwise defined as a solid or hazardous waste, under which: (1) the material is used or reused in a manufacturing process or as a substitute for natural or commercial materials; and (2) the material is commercially valuable for an established or emerging market and is used or reused in a manner that does not pose an unreasonable threat to human health or the environment. Requires the department of environmental management (department) to develop proposed rules that: (1) provide for the legitimate use of solid and hazardous waste instead of its disposal; (2) provide that a material being legitimately used is not considered a solid or hazardous waste. Requires the environmental rules board (board) to consult with the department concerning the regulation of solid waste and hazardous waste and authorizes the board to adopt rules establishing standards and procedures for the legitimate use, instead of disposal, of material otherwise defined as a solid or hazardous waste. Provides that any such rules adopted by the board shall provide that a material being legitimately used is not considered a solid or hazardous waste. Also authorizes the board to adopt rules establishing standards and procedures for the legitimate use, instead of disposal, of waste tires.

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SB301 **WORKFORCE EDUCATION** (KENLEY L) Requires the department of workforce development (DWD) to prepare an occupational demand report before July 1, 2016, regarding the expected workforce needs of employers for a 10 year projection and the training and education that will be required to meet those expected workforce needs. Requires the DWD to categorize these workforce needs and training and education requirements by job classification on a statewide basis and also for each region designated under the federal Workforce Innovation and Opportunity Act of 2014 (WIOA). Provides that in preparing the labor market demand report and the average wage level report used

in determining school funding for career and technical education, the DWD shall consider the information included in the report. Requires the DWD, with the assistance of the commission for higher education (CHE), Ivy Tech Community College (Ivy Tech), the department of education, and local workforce development boards, to do the following for each region designated under the WIOA: (1) Prepare an inventory of the career and technical education courses available to students attending high school in the region and of the certification courses provided by Ivy Tech in the region. (2) Identify any gaps or imbalances between the career and technical education courses and certification courses offered and the workforce needs and training and education requirements in the region. Requires the DWD, with the assistance of the CHE, Ivy Tech, and local workforce development boards, to annually: (1) develop recommendations concerning the career and technical education courses and courses leading to a certification that should be offered at high schools within each region designated under the WIOA; (2) report to the budget committee before January 1 of each year concerning the recommendations; and (3) report the recommendations to the board of trustees, administration, and faculty of Ivy Tech at a meeting scheduled by the Ivy Tech board of trustees. Requires the DWD, in consultation with the CHE and Ivy Tech, to develop a procedure for measuring certain outcomes for credential or degree completers and separately for current or previously enrolled students of Ivy Tech. Requires advisory committees established by Ivy Tech to do the following: (1) Consider the workforce needs and training and education needs identified in the occupational demand report prepared by the DWD. (2) Present to the Ivy Tech board of trustees any findings or recommendations of the advisory committee concerning those needs. Requires the CHE, in consultation with the DWD, to develop and recommend funding amounts and performance metrics that reward workforce training programs that are not included in the postsecondary performance funding formula. Provides that these funding amounts and performance metrics must be aligned with the workforce needs and training and education requirements reported by the DWD. Specifies that a regional works council may develop an alternative career, technical, or vocational educational curriculum for high school students in its region in order to provide a curriculum that is aligned with the workforce needs of the region as described in the occupational demand report. (Current law allows a regional works council to develop an alternative curriculum under certain circumstances, and requires approval by the state board of education (state board) before the alternative curriculum may be implemented.) Requires the department of education and the DWD to prepare a report containing certain information for each high school and each school corporation for the immediately preceding school year. Provides that the board of trustees of Ivy Tech shall establish an administrative structure for Ivy Tech that provides the support necessary for: (1) workforce training programs, including programs designed for the direct entry of individuals into the workforce; and (2) programs to enhance the skills of workers. Requires Ivy Tech to employ two vice presidents. Provides that before November 1, 2016, and each November 1 thereafter, Ivy Tech shall provide the budget committee certain information for each of Ivy Tech's owned or operated campus locations or sites that offer ongoing academic programs and services. Requires Ivy Tech to annually report to the DWD concerning certificate programs available that are linked to third party certifications, including the enrollment, completion, and subsequent employment for students completing certificate programs. Requires Ivy Tech to annually report to the CHE, the DWD, and the legislative council concerning: (1) the elimination or restructuring of certain programs and services; (2) the development of courses and programs identified as being required to meet workforce needs; and (3) whether the resources available to Ivy Tech are sufficient. Requires the president of Ivy Tech to report each year concerning progress in the efforts to align courses and programs with the workforce needs and educational requirements within each works council region. Requires the Ivy Tech board of trustees to do the following in its development and adoption of programs leading to a certificate and for workforce training programs: (1)

Consider findings and recommendations that are submitted to the board of trustees by advisory committees. (2) Obtain and consider comments and input from Indiana employers and employer organizations. (3) Ensure that the programs are aligned with the primary purposes of Ivy Tech. Requires the state board to consider the workforce needs and training and education requirements reported by the DWD when the state board makes revisions to its long range state plan for secondary level career and technical education programs. Provides that in carrying out its duties to match education and training programs with current and future needs of the state's job market, the Indiana career council shall consider the workforce needs and training and education requirements reported by the DWD. Specifies that certain of these requirements sunset on July 1, 2020.

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SB308

LOCAL TAX MATTERS (HERSHMAN B) Provides that when calculating the base rate for agricultural land for the January 1, 2016, assessment date and each assessment date thereafter, the department of local government finance (DLGF) shall do the following: (1) Use the six most recent years preceding the year in which the assessment date occurs for which data is available (before the highest of those six years is eliminated when determining the rolling average). (2) After determining a preliminary base rate that would apply for the assessment date, adjust the preliminary base rate as follows: (A) If the preliminary base rate for the assessment date would be at least 10% greater than the final base rate determined for the preceding assessment date, a capitalization rate of 8% shall be used to determine the final base rate. (B) If the preliminary base rate for the assessment date would be at least 10% less than the final base rate determined for the preceding assessment date, a capitalization rate of 6% shall be used to determine the final base rate. (C) If the preliminary base rate for the assessment date is neither at least 10% greater nor at least 10% less than the final base rate determined for the preceding assessment date, a capitalization rate of 7% shall be used to determine the final base rate. Specifies that for purposes of the assessment of agricultural land, the soil productivity factors used for the March 1, 2011, assessment date shall be used for the January 1, 2016, assessment date and each assessment date thereafter. (Under current law, new soil productivity factors are to be used for assessment dates occurring after March 1, 2015.) Deletes the requirement that an assessor shall examine and verify the accuracy of each personal property tax return filed by a taxpayer. Provides instead that an assessor may examine and verify the accuracy of a personal property tax return if the assessor considers the examination and verification of that personal property return to be useful to the accuracy of the assessment process. Increases the assessed value per acre of classified forest land, classified windbreaks, and classified filter strips from \$1 per acre to \$13.29 per acre for the January 1, 2017, assessment date. For assessment dates after January 1, 2017, increases the assessed value by the annual percentage change in the consumer price index. Adds certain types of property to the exemption for property used for public airport purposes. Authorizes a county fiscal body to adopt an ordinance to capture taxes from all taxing units in a taxing district when there is an appeal that is uncommon and infrequent. Specifies that such a taxing unit may not include these captured taxes as part of an appeal for a shortfall levy increase. Provides an exemption from the maximum property tax levy limits for a municipality in a year if: (1) the percentage growth in the municipality's assessed value for the preceding year compared to the year before the preceding year is at least two times the assessed value growth quotient; and (2) the municipality's population increased by at least 150% between the last two decennial censuses. Specifies that such a municipality may increase its property tax levy in excess of the levy limits by a percentage equal to the lesser of 6% or the percentage growth in the municipality's assessed value for the preceding year compared to the year before the

preceding year. Provides that Cain Township in Fountain County may increase its maximum township unit levy and its maximum levy for fire protection and emergency services for 2017. Limits the increase to what each of these levies would be for 2017 if the township had imposed the maximum amount for each of these levies since 2003. Permits the fiscal body of Howard Township in Washington County to adopt a resolution to authorize the township executive to request that the DLGF increase the township's maximum permissible property tax levy for 2017 and thereafter. Requires the DLGF to increase the maximum levy by 10%. Permits a county fiscal body to impose a local income tax (LIT) rate for a public safety emergency assistance answering point that is part of the statewide 911 system (PSAP) if the adopting body in the county is the LIT council and the LIT council has not allocated the revenue from an expenditure rate of at least 0.1% to a PSAP in the county. Specifies that the rate may not exceed 0.1%. Specifies that the revenue generated by the rate is to be paid only to the county unit and used only for a PSAP. Allows a county to use excess reserves in its prisoner reimbursement fund for the costs of care, maintenance, and housing of prisoners, including the cost of housing prisoners in the facilities of another county. Expires under the tax increment financing law the downtown Indianapolis consolidated allocation area on January 1, 2051. Urges a study of the topic of allowing an exemption from the maximum levy limits for growing municipalities by the interim study committee on fiscal policy.

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SB323 **LEGISLATIVE STUDIES (HERSHMAN B)** Requires the legislative services agency to: (1) study the combined reporting approach to apportioning income and transfer pricing for income tax purposes; and (2) report the results of the study before October 1, 2016, to the legislative council and to the interim study committee on fiscal policy. Requires the interim study committee on fiscal policy to hold at least one public hearing at which the legislative services agency presents the results of the study. Urges the legislative council to assign an interim study committee certain study topics related to gaming and . Urges the legislative council to assign the topic of federal requirements for home and community based settings to the interim study committee on fiscal policy.

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SB366 **SOLID WASTE MANAGEMENT DISTRICTS (BROWN L)** Provides that the requirement for each county to have a single-county solid waste management district or be a member of a joint solid waste management district expires July 1, 2017. Provides that after June 30, 2017: (1) a county may dissolve its single county solid waste management district if: (A) the county executive and county fiscal body adopt ordinances in favor of the dissolution of the district; and (B) the county legislative body follows the procedure by which a political subdivision that established another political subdivision may dissolve that other political subdivision; or (2) a county, by action of the county executive, may withdraw from a joint solid waste management district and adopt an ordinance exercising the county's right not to be designated as a county solid waste management district and not to join another joint solid waste management district. Provides that the expiration of the provision requiring all counties to have solid waste management districts does not affect a solid waste management district established before the expiration of the provision. Prohibits a member of the county executive, legislative body, or fiscal body from voting on the dissolution of the county's solid waste management district if the member is an employee of the district. Provides that, if a district is being dissolved, any assets of the

district that are not needed to satisfy the district's legal obligations shall be used by the county to provide the services previously provided by the district; that the county may continue collecting fees collected by the district but is required to use the fee proceeds exclusively to provide services previously provided by the district; and that if the district imposed a property tax levy, the authority of the district to impose the levy is transferred to the county but the county may use the taxes collected under the district's levy authority only for the purposes for which the district was authorized to use its levy. Provides that a county, city, town, or township does not have the power to dissolve another political subdivision except as expressly granted by statute, but establishes a procedure by which a political subdivision that established another political subdivision may dissolve that other political subdivision. Requires a political subdivision using this procedure to give public notice, hold a public meeting, provide opportunity for public comment, and create a plan concerning the dissolution, including an explanation of how the services provided by the entity to be dissolved will be provided after the entity is dissolved.

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SB383

SYSTEM INTEGRITY ADJUSTMENTS (CHARBONNEAU E) Provides that an eligible water or wastewater utility may petition the utility regulatory commission (commission) to charge a system integrity adjustment to recover or credit an adjustment amount based on the eligible utility's revenues. Provides that a the commission, after a hearing, shall approve a properly calculated system integrity adjustment. Provides that a utility may collect a system integrity adjustment until the earlier of: (1) 48 months after the date on which the utility is allowed to begin collecting the system integrity adjustment; or (2) the date on which the commission issues an order in the utility's next general rate case proceeding. Requires the commission to adopt rules concerning system integrity adjustment proceedings. Makes a technical correction.

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