

# The Cope...



*INCMA's Monthly Newsletter*

*December 2018*

## 2019 LEGISLATIVE SESSION PREVIEW

The Indiana General Assembly will convene on January 3rd in Indianapolis. This year is a "long" session and a biennial budget will be one of the top priorities. INCMA lobbyists will be monitoring all of the bills as they are introduced and will track specific legislation impacting the industry. Below is a summary of issues anticipated at this point.

### IDEM Permit Fees

In recent weeks leadership from the Indiana Department of Environmental Management (IDEM) reached out to many in the business community to discuss permitting fees. It has been some time since any of the fees have been increased. IDEM cites funding, especially for salaries, as a hurdle to maintaining qualified staff. Informal discussion with the effected business groups revealed a concern for the quality of the staff moving forward. Good permitting staff is important to the business community. In general, the mood of business groups is to allow for reasonable increases in permitting fees.

The issue becomes more complicated with the

request being made by IDEM to shift the authority to raise the fees from the legislature to the Environmental Rules Board. Raising fees and taxes is a politically charged issue. Elected officials are hesitant to raise fees by legislative act. Presumably, the administration feels there is "cover" for fee increases made by an appointed board. A likely solution is to give the board authority to raise the fees but with



restrictions on frequency and amount.

### Paycheck Deductions for Uniforms

Some INCMA members are painfully aware of the issue of paycheck deductions for workers uniforms. The Indiana Wage Assignment Act allows for paycheck deductions for the "purchase" of uniforms. In March of 2018 a case was decided in United States District Court for the

Southern District of Indiana holding, in part, that "purchase" is not the same thing as "rent". Therefore a scenario where deductions are made to support uniform rental is inappropriate.

Since the decision in March, other cases have been filed against businesses in Indiana. Legislation will likely be introduced to clarify that purchase or rental of uniforms is allowable under the Wage Assignment Act.

### Business Personal Property Tax – Administration

The Department of Local Government Finance (DLGF) is floating the idea of the state taking over the administrative duties for business personal property tax. Currently this is a function of the county assessor. Discussions are underway regarding a funding mechanism and the overall cost. Legislation to put this into place is anticipated.

## 2019 LEGISLATIVE CONFERENCE

[Register soon](#) for INCMA's 2019 Legislative Conference scheduled for Wednesday Feb. 13th at the Hilton Hotel in Indianapolis.

Confirmed speakers include: Stephanie Salmon, AFS Lobbyist; Stan Pinegar, President, Duke Energy Indiana, and Kevin Brinegar, IN Chamber President. Special thanks to our sponsors:

**ASK Chemicals, B&L Information Systems KERAMIDA, Inc., Pillar Group Risk Mgmt, Hill & Griffith, and Waupaca Foundry.**

## FEDERAL UPDATE: Silica & Annual Foundry Injury Report

AFS recently relayed that the long anticipated Silica FAQ is down to just three questions still being sorted out with OSHA which is expected to be wrapped up very soon. The FAQ is expected to answer more than 50 common questions to assist foundry compliance.

In other news, the US Bureau of Labor Statistics (BLS) has released their 2017 incident rates for nonfatal occupational injuries and illnesses in the metalcasting industry. [Click here to view the report.](#)

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