

IWDA LEGISLATIVE RECAP 2018

The 2018 Legislative Session

The 2018 iteration of the Indiana Legislative Session is now in the history books. Seems the legislative leadership got a little pithy as the session deadline loomed and failed to pass several critical pieces of legislation that are very important to the Governor and the State. I'm pleased to say none of the issues that failed to pass impact our industry. None the less, the Governor was rightfully testy about the whole thing and called the legislators back for a Special Session (at tax payers expense) to do what they should have done during the regular session. The special session was conducted in May and was accomplished in one day.

The intent here is to review some of the key issues your association was concerned with during the session and to offer some thoughts on the changing attitudes and primary players.

Primary Players

Our industry is keenly aware of the resignation of Senator Luke Kenley (R-Noblesville) who is a good friend and was the longtime chair of the powerful Appropriations Committee. His resignation was followed almost immediately by the resignation of Senator Brandt Hershman (R-Buck Creek) Chairman of the Senate Tax and Fiscal Policy Committee. The top two finance Senators both leaving essentially at the same time and then the Senate President Pro Tempore, Senator David Long (R-Ft Wayne), announced his retirement effective November. This meant Senate leadership is undergoing a massive shift that won't be completely resolved until the start of the 2019 session in November of this year. This is going to impact our industry and every other entity that has an interest in legislative activity. Senator Rod Bray (R-Martinsville) is the new President Pro Tempore.

The House is not undergoing anything similar to the upheaval in the Senate but there will be some shifting. What is worrisome is how the House of Representatives seems to have evolved from a no-new-taxes, limited government intervention and champions of the free enterprise classic Republican majority organization to a lets tax more, intrude on citizens individual rights and unabashedly write laws that safeguard some industries while condemning others. No, the House is not going through the turmoil the Senate is but maybe they should.

MAIN ISSUES IN 2018

- HB1177 – attempted to remove THC (marijuana) from drug test criteria. Dead Bill
- HB1187 – E-Liquid tax of \$0.10 per milliliter – Dead Bill
- HB1380 – This bill would have changed the age to purchase tobacco to 21. IWDA led the effort to defeat this bill by forwarding fiscal impact data from NATO to legislative fiscal leaders who had initially overlooked a fiscal analysis as required by legislative rules. Leadership pulled the bill after it passed committee.

- HB1381 – Removed any exceptions to the no smoking in public rules – Dead Bill
- SB23 – attempted to allow employers to not hire or discharge persons using tobacco outside hours of employment. Dead Bill
- SB52 – Clarifies and allows conditions under which low THC hemp extract may be sold. Signed by the Governor on 21 March and is effective now.
- SB307 – Medical Marijuana – it is coming folks, only a matter of time. Once Indiana realizes the money that can be grabbed by the state it will happen. Ironically, we might see marijuana legalized in some form before we see cold beer in groceries and convenience stores. Failed this year – Dead Bill.
- SB310 – attempted to change the definition of controlled substances to exclude marijuana – Dead Bill.
- SB370 – Production of Hemp as a farm crop was not entertained. It was adamantly opposed by the Governor but recently Senator Mitch McConnell announced in Washington that he wants to make hemp legal and have it become the new tobacco crop for Kentucky. Dead Bill in Indiana.

WHAT'S COMING

We have an election this fall, followed by conclusion of the Senate reorganization and probably minor changes in the House. It is our sincere hope you will involve yourself in the upcoming election by rewarding those who support the free enterprise system and withhold your support from those who consistently vote wrong. If you need help or information when selecting candidates to support we'll be happy to provide voting record information.

Good laws come from good legislators.

Long time anti-smoking advocate Rep. Charlie Brown has retired, but a coalition led by the Indiana Chamber of Commerce, the Indiana Hospital Association and the Indiana State Medical association are already working to ensure legislation will be introduced in 2019 to attempt to:

- Raise tobacco taxes
- Change the minimum tobacco purchase age to 21
- Eliminate the Smoker's Bill of Rights

There will be many other issues but regardless IWDA will be there and together we can address the issues to improve promote and protect our industry.

Joe Lackey and Steve Beebe
IWDA Lobbyists