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2011 LEGISLATIVE VOTE ANALYSIS

27th EDITION

Legislative Report Card

Lawmakers ‘Speak Up’ Through Numerous Votes

By Tom Schuman

Important school scholarship and charter school legislation is signed into law during a Statehouse ceremony.



It was evident early on that the 2011 legislative process at the Statehouse was going to have its own unique flavor. That distinction carries through to the post-session review and the Indiana Chamber’s annual *Legislative Vote Analysis*.

For 27 years, the Chamber has measured the voting performance of all 150 legislators on bills that reflect the organization’s public policy positions (see sidebar for details on that process). In 2011, the “measuring” consumed more resources than ever before. The 198 votes (101 in the House and 97 in the Senate) compare, for example, to totals of 79 and 76, respectively, in the last two years.

Jeff Brantley, Chamber vice president for political affairs, was not surprised by the increase in bills that made their way through the legislative maze and into the final vote evaluation.

“I think there was a lot of pent-up demand, positive issues that had been unable to move in previous years,” he says. “The 2010 election, for the candidates that won, was largely about job creation, improving education and Indiana’s competitiveness with other states. The outcome of the session and the *Legislative Vote Analysis* reflect one of the biggest lists of pro-jobs, pro-growth accomplishments we’ve seen in quite some time.”

Political realities, of course, also played a major role. As a result of that 2010 election, Republicans controlled both chambers of the General Assembly as well as the governor’s office.

“When you have a split (as has been the case more often than not in recent years) in control of the House and Senate, good ideas from the other side often only go so far,” offers Indiana Chamber President Kevin Brinegar, who has 31 years of experience with the legislative process. “There is certainly less substantial and less controversial legislation that emerges with split control.”

On second thought

All bills the Chamber identifies early in the session that could significantly impact members and their employees that make it to a final floor vote are included in the *Legislative Vote Analysis*. While those numbers increased dramatically, there is also a notable growth in second reading amendments (efforts to change legislation in the full House or Senate before it reaches a final floor vote) this time around.

Brinegar explains.

“We’ve included second reading amendments in the past, but there were many more important second reading votes in 2011. Those amendments would have, in some cases, totally changed the meaning and significance of legislation that the Chamber and its members strongly supported. In other cases, the amendments made bills that we already supported that much better.”

At least some of these amendments were crafted while House Democrats were in an Urbana, Illinois hotel during their five-week walkout. Members of that caucus assured their constituents they were working on changes to various education and labor bills that were the impetus for the mass exodus from the Statehouse.

Two examples: A proposed change to the school scholarship legislation would have limited this choice option only to those students who had failed the ISTEP exam. On the charter school bill, an amendment would have mandated that proposals for new schools go to the local school board first for consideration. In both cases, the intent of expanding school choice would have

been severely limited, if not halted altogether.

Similarly, in the Senate a proposed amendment would have permitted merit pay for teachers for only newly hired professionals. It would have prevented a fair evaluation and potential rewards for the thousands of teachers already in the classroom.

On the positive amendment side of the equation, a change to the collective bargaining measure limits teacher contracts from going beyond the two-year state budget cycle. The reason: Corporations and teachers should not be entering into financial agreements for years in which the amount of state funding coming back to the school district is yet to be determined.

Active newcomers

Brantley points out another new factor at play – the large size of the freshmen class of legislators (19 in the House and five in the Senate) and their impact as authors or key supporters of critical legislation.

Brinegar notes, “They came here to do things, not sit in the back row and listen. They were allowed, and encouraged, to do so by leadership.”

A few examples from the House with the legislation they authored:

- Sue Ellspermann (Ferdinand), young entrepreneur program
- Rebecca Kubacki (Syracuse), ineligibility for unemployment

benefits if the person fails to pass a drug test

- Mike Speedy (Indianapolis), prohibiting local living wage ordinances
- Matt Ubelhor (Bloomfield), protecting secret ballot votes in union elections

What it all means

Overall, legislator scores are higher than in recent years. Among Democrats, the trend continued of higher scores among senators than representatives.

“The scores are a reflection of Indiana Business for Responsive Government (IBRG, the Chamber’s political action committee) and its allies having a successful election and more pro-jobs, pro-economy individuals serving overall and in the leadership of both houses,” Brinegar states.

“The *Legislative Vote Analysis*, particularly given the multitudes of bills and amendment votes, gives legislators plenty of opportunity to demonstrate whether they are with or against Indiana businesses and their employees,” he adds.

Among those important pieces of legislation: unemployment insurance (UI) reform that will save companies \$200 million a year in UI taxes for each of the next 10 years and a corporate income tax rate reduction with an estimated \$80 million in annual savings and the potential to help attract many new businesses to the state. (Additional examples and full details

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Legislative Report Card

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will be included in the Chamber's annual Legislative Return on Investment summary.)

Brantley succinctly sums up the tie-in between November 2010 and the first four months of 2011: "Elections matter. They mattered before, and they will again in 2012."

With that in mind, Brinegar concludes, "This year

illustrated once again that the success of our Chamber advocacy on behalf of our members, their employees and the entire business community is closely tied to the success of IBRG. I encourage companies and individuals to, above and beyond their Chamber membership investment, support IBRG and the critical role it plays."

INFORMATION LINK

Resources: Kevin Brinegar and Jeff Brantley, Indiana Chamber, at www.indianachamber.com

Access the *Final Legislative Report*, with full details on the General Assembly session, at www.indianachamber.com

Developing the Report

The Indiana Chamber's various public policy committees (comprised of employees of member companies) formulate positions on issues impacting businesses and their employees. Following policy review and adoption by the Chamber's executive committee and board of directors, the *Legislative Business Issues* publication is sent to all legislators and other interested parties. This publication outlines the Chamber positions, and reasoning, on critical public policy issues.

During the legislative session, lawmakers are kept apprised of the Chamber position on specific bills through various editions of the *Legislative Agenda* report and other communications.

Each member of the Indiana General Assembly is informed of all bills the Indiana Chamber is following, including the Chamber's position on each bill, the reason for the position and the name and telephone number of the specific Chamber lobbyist to contact for more information.

Only floor votes for which there is a public record are used in the *Legislative Vote Analysis*.

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