



Journal of the Senate

State of Indiana

119th General Assembly

Second Regular Session

Twenty-third Meeting Day

Monday Afternoon

February 22, 2016

The Senate convened at 1:33 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Reverend Jen S. Gibbs - Old Bethel Methodist Church, Indianapolis.

The Pledge of Allegiance to the Flag was led by Senator Patricia L. Miller.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Leising
Arnold	Long
Banks	Merritt
Bassler	Messmer
Becker	Miller, Patricia
Boots	Miller, Pete
Bray	Mishler
Breaux	Mrvan
Broden	Niemeyer
Brown	Perfect
Buck	Raatz
Charbonneau	Randolph
Crider	Rogers
Delph	Schneider
Eckerty	Smith
Ford	Steele
Glick	Stoops
Grooms	Tallian
Head	Taylor
Hershman	Tomes
Holdman	Walker
Houchin	Waltz
Kenley	Yoder
Kruse	Young, M.
Lanane	Zakas

Roll Call 185: present 50; excused 0. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Resolution 33

Senate Resolution 33, introduced by Senator Hershman:

A SENATE RESOLUTION urging the Commission for Higher Education to report to the Legislative Council the feasibility of establishing an agricultural law program at Indiana University's Robert H. McKinney School of Law and potential

partnerships with other Indiana institutions.

Whereas, Agriculture is a mainstay of Indiana's economy and way of life;

Whereas, The field of agricultural law is complex, requiring specialized knowledge on the part of lawyers; and

Whereas, More widespread knowledge of agricultural law would be of great benefit to the state of Indiana: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana:*

SECTION 1. That the Commission for Higher Education is urged to report to the Legislative Council the feasibility of establishing an agricultural law program at Indiana University's Robert H. McKinney School of Law and potential partnerships with other Indiana institutions.

The resolution was read in full and referred to the Committee on Education & Career Development.

Senate Resolution 34

Senate Resolution 34, introduced by Senators Delph and M. Young:

A SENATE RESOLUTION expressing profound disappointment in Carrier Corporation and United Technologies.

Whereas, Willis Carrier designed the first modern air-conditioning system in 1902, founded Carrier Engineering Corporation in 1915, and was named one of TIME magazine's 100 most influential people of the 20th century;

Whereas, Carrier Corporation has manufactured its products in Indianapolis for more than half of the company's life and has received taxpayer dollars to develop its workforce;

Whereas, Carrier Corporation and United Technologies announced its plan to move 2,100 Hoosier jobs from Indiana to Mexico, where Carrier may pay its workers as little as \$3.00 per hour;

Whereas, United Technologies, Carrier's parent company, owns Otis Elevators which moved a large portion of its Bloomington plant from Indiana to Mexico;

Whereas, In its most recent fiscal year, United Technologies had a net income of \$6,100,000,000 on net sales of \$57,000,000,000, or \$156,164,383.56 per day;

Whereas, United Technologies is led by Gregory J. Hayes, a graduate of Purdue University;

Whereas, Forbes and the Tax Foundation labeled Indiana a top ten state for business and Indiana maintains a AAA credit rating;

Whereas, Although Indiana's economy is growing at a pace that fosters record employment and investment, federal corporate tax rates are among the highest in the developed world and companies throughout the United States must contend with an overall regulatory burden on manufacturing imposed by the EPA that has nearly doubled since 1997; and

Whereas, Irrespective of Gregory Hayes's connection to Indiana, Carrier's decades-long success in Indianapolis, the taxpayer money offered to support Carrier, and the stellar fiscal year had by United Technologies, 2,100 Hoosiers will lose their jobs: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate expresses profound disappointment in United Technologies and the Carrier Corporation.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the board of directors at United Technologies and Carrier, Chris Nelson, and Bob McDonough.

The resolution was read in full and referred to the Committee on Commerce & Technology.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Senate Resolution 28, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

Committee Vote: Yeas 8, Nays 0.

GLICK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred House Bill 1075, has had the same under consideration and begs leave to report the same back to the

Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill 1109, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-20.6-9.9, AS ADDED BY P.L.120-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9.9. (a) **If a school corporation in 2017 or 2018 issues new bonds or enters into a new lease rental agreement for which the school corporation is imposing or will impose a debt service levy (other than the refinancing or renewal of prior bond or lease rental obligations existing before January 1, 2017), the school corporation is not eligible to allocate credits proportionally under this section.**

(b) Subject to subsection (a), a school corporation is eligible to allocate credits proportionately under this section for ~~2014, 2015, or~~ 2016, **2017, or 2018** if the school corporation's percentage computed under this subsection is at least ten percent (10%) for its transportation fund levy for that year, as certified by the department of local government finance. A school corporation shall compute its percentage under this subsection as follows:

- (1) Compute the amount of credits granted under this chapter against the school corporation's levy for the school corporation's transportation fund.
- (2) Compute the school corporation's levy for the school corporation's transportation fund.
- (3) Divide the amount computed under subdivision (1) by the amount computed under subdivision (2) and express it as a percentage.

The computation must be made by taking into account the requirements of section 9.8 of this chapter regarding protected taxes and the impact of credits granted under this chapter on the revenue to be distributed to the school corporation's transportation fund for the particular year.

~~(b)~~ **(c)** A school corporation that desires to be an eligible school corporation under this section must, before May 1 of the year for which it wants a determination, submit a written request for a certification by the department of local government finance that the computation of the school corporation's percentage under subsection ~~(a)~~ **(b)** is correct. The department of local government finance shall, not later than June 1 of that year, determine whether the percentage computed by the school corporation is accurate and certify whether the school corporation is eligible

under this section.

(e) **(d)** For a school corporation that is certified as eligible under this section, the school corporation may allocate the effect of the credits granted under this chapter proportionately among all the school corporation's property tax funds that are not exempt under section 7.5(b) or 7.5(c) of this chapter, based on the levy for each fund and without taking into account the requirements of section 9.8 of this chapter regarding protected taxes."

Page 2, delete lines 1 through 20.

Page 2, delete lines 32 through 42, begin a new paragraph and insert:

"SECTION 3. IC 20-43-4-2, AS AMENDED BY P.L.205-2013, SECTION 275, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 2. (a) A school corporation's ADM is the number of eligible pupils enrolled in:

- (1) the school corporation; or
- (2) a transferee corporation;

on the days fixed in September and in February by the state board for a count of students under section 3 of this chapter and as subsequently adjusted not later than the date specified under the rules adopted by the state board. The state board may adjust the school's count of eligible pupils if the state board determines that the count is unrepresentative of the school corporation's enrollment. In addition, a school corporation may petition the state board to make an adjusted count of students enrolled in the school ~~corporation~~ **corporation** if the corporation has reason to believe that the count is unrepresentative of the school corporation's enrollment.

(b) Each school corporation shall: ~~in June of 2013 and in May of each year thereafter~~

- (1) in May, if the year is an even-numbered year; or**
- (2) before April 1, if the year is an odd-numbered year;**

provide to the department an estimate of the school corporation's ADM that will result from the count of eligible pupils in the following September. The department may update and adjust the estimate as determined appropriate by the department. **In each odd-numbered year, the department shall provide the updated and adjusted estimate of the school corporation's ADM to the legislative services agency before April 10 of that year.**

SECTION 4. IC 20-43-4-9, AS AMENDED BY P.L.213-2015, SECTION 215, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 9. (a) Subject to ~~subsection (b);~~ **subsections (b) and (c)**, this subsection applies to the calculation of state tuition support distributions that are based on the current ADM of a school corporation. The fall count of ADM, as adjusted by the state board under section 2 of this chapter, shall be used to compute state tuition support distributions made in the first six (6) months of the current state fiscal year, and the spring count of ADM, as adjusted by the state board under section 2 of this chapter, shall be used to compute state tuition support distributions made in the second six (6) months of the state fiscal year.

(b) This subsection applies to a school corporation that does not provide the estimates required by section 2(b)(2) of this chapter before the deadline. For monthly state tuition support distributions made before the fall count of ADM is finalized, the department shall determine the distribution amount for such a school corporation for a state fiscal year of the biennium, using data that were used by the general assembly in determining the state tuition support appropriation for the budget act for that state fiscal year. The department may adjust the data used under this subsection for errors.

~~(b)~~ **(c)** If the state board adjusts a count of ADM after a distribution is made under this article, the adjusted count retroactively applies to the amount of state tuition support distributed to a school corporation affected by the adjusted count. The department shall settle any overpayment or underpayment of state tuition support resulting from an adjusted count of ADM on the schedule determined by the department and approved by the budget agency."

Delete page 3.

Page 4, delete lines 1 through 4, begin a new paragraph and insert:

"SECTION 5. IC 20-43-10-3, AS AMENDED BY HEA 1003-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) As used in this section, "achievement test" means a:

- (1) test required by the ISTEP program; or
- (2) Core 40 end of course assessment for the following:
 - (A) Algebra I.
 - (B) English 10.
 - (C) Biology I.

(b) As used in this section, "graduation rate" means the percentage graduation rate for a high school in a school corporation as determined under IC 20-26-13-10 but adjusted to reflect the pupils who meet the requirements of graduation under subsection (c).

(c) As used in this section, "test" means either:

- (1) a test required by the ISTEP program; or
- (2) a Core 40 end of course assessment.

(d) A pupil meets the requirements of graduation for purposes of this section if the pupil successfully completed:

- (1) a sufficient number of academic credits, or the equivalent of academic credits; and
- (2) the graduation examination required under IC 20-32-3 through IC 20-32-5;

that resulted in the awarding of a high school diploma or an academic honors diploma to the pupil for the school year ending in the immediately preceding state fiscal year.

(e) Determinations for a school for a state fiscal year must be made using:

- (1) the count of tests passed compared to the count of tests taken throughout the school;
- (2) the graduation rate in the high school; and
- (3) the count of pupils graduating in the high school.

(f) In determining grants under this section, a school

corporation may qualify for the following two (2) grants each year:

- (1) One (1) grant under subsection (h), (i), or (j).
- (2) One (1) grant under subsection (k), (l), or (m).

(g) The sum of the two (2) grant amounts described in subsection (f), as determined for a school corporation under this section, constitutes an annual performance grant that is in addition to state tuition support. **After review by the budget committee**, the annual performance grant for a state fiscal year shall be distributed to the school corporation before December 5 of that state fiscal year, **unless an extension of the December 5 deadline is approved for that state fiscal year under subsection (o)**. If the:

- (1) total amount to be distributed as performance grants for a particular state fiscal year exceeds the amount appropriated by the general assembly for performance grants for that state fiscal year, the total amount to be distributed as performance grants to school corporations shall be proportionately reduced so that the total reduction equals the amount of the excess. The amount of the reduction for a particular school corporation is equal to the total amount of the excess multiplied by a fraction. The numerator of the fraction is the amount of the performance grant that the school corporation would have received if a reduction were not made under this section. The denominator of the fraction is the total amount that would be distributed as performance grants to all school corporations if a reduction were not made under this section; and
- (2) total amount to be distributed as performance grants for a particular state fiscal year is less than the amount appropriated by the general assembly for performance grants for that state fiscal year, the total amount to be distributed as performance grants to school corporations for that particular state fiscal year shall be proportionately increased so that the total amount to be distributed equals the amount of the appropriation for that particular state fiscal year.

The performance grant received by a school corporation shall be allocated among and used only to pay cash stipends to all teachers who are rated as effective or as highly effective and employed by the school corporation as of December 1. The lead school corporation or interlocal cooperative administering a cooperative or other special education program or administering a career and technical education program, including programs managed under IC 20-26-10, IC 20-35-5, IC 20-37, or IC 36-1-7, shall award performance stipends to and carry out the other responsibilities of an employing school corporation under this section for the teachers in the special education program or career and technical education program. The amount of the distribution from an annual performance grant to an individual teacher is determined at the discretion of the governing body of the school corporation. The governing body shall differentiate between the amount of the stipend awarded to a teacher rated as a highly effective teacher and a teacher rated as an effective

teacher and may differentiate between school buildings. A stipend to an individual teacher in a particular year is not subject to collective bargaining and is in addition to the minimum salary or increases in salary set under IC 20-28-9-1.5. In addition, an amount determined under the policies adopted by the governing body but not exceeding fifty percent (50%) of the amount of a stipend to an individual teacher in a particular state fiscal year beginning after June 30, 2015, becomes a permanent part of and increases the base salary of the teacher receiving the stipend for school years beginning after the state fiscal year in which the stipend is received. The addition to base salary under this section is not subject to collective bargaining, is payable from funds other than the performance grant, and is in addition to the minimum salary and increases in salary set under IC 20-28-9-1.5. **The school corporation shall complete the appropriation process for all stipends from a performance grant to individual teachers before December 31 of the state fiscal year in which the performance grant is distributed to the school corporation and distribute all stipends from a performance grant to individual teachers before the immediately following January 31. The school corporation shall distribute all stipends from a performance grant to individual teachers within twenty (20) business days of the date the department distributes the performance grant to the school corporation.** Any part of the performance grant not distributed as stipends to teachers before February must be returned to the department on the earlier of the date set by the department or June 30 of that state fiscal year.

(h) Except as provided in subsection (n), a school qualifies for a grant under this subsection if the school has more than ~~seventy-five~~ **seventy-two and five-tenths percent (72.5%)** but less than ninety percent (90%) of the tests taken in the school year ending in the immediately preceding state fiscal year that receive passing scores. The grant amount for the state fiscal year is:

- (1) the count of the school's passing scores on tests in the school year ending in the immediately preceding state fiscal year; multiplied by
- (2) twenty-three dollars and fifty cents (\$23.50).

(i) Except as provided in subsection (n), a school qualifies for a grant under this subsection if the school has at least ninety percent (90%) of the tests taken in the school year ending in the immediately preceding state fiscal year that receive passing scores. The grant amount for the state fiscal year is:

- (1) the count of the school's passing scores on tests in the school year ending in the immediately preceding state fiscal year; multiplied by
- (2) forty-seven dollars (\$47).

(j) This subsection does not apply to a school corporation in its first year of operation or to a school corporation that is entitled to a distribution under subsection (h) or (i). Except as provided in subsection (n), a school qualifies for a grant under this subsection if the school's school year over school year percentage growth rate of achievement tests receiving passing scores was at least ~~one five~~ **percent (1%); (5%)**, comparing the school year ending in the immediately preceding state fiscal year

to the school year immediately preceding that school year. The grant amount for the state fiscal year is:

(1) the count of the school corporation's pupils who had a passing score on their achievement test in the school year ending in the immediately preceding state fiscal year; multiplied by

(2) ~~one hundred sixty dollars (\$160)~~; **forty-seven dollars (\$47)**.

(k) A school qualifies for a grant under this subsection if the school had a graduation rate of ninety percent (90%) or more for the school year ending in the immediately preceding state fiscal year. The grant amount for the state fiscal year is:

(1) the count of the school corporation's pupils who met the requirements for graduation for the school year ending in the immediately preceding state fiscal year; multiplied by

(2) one hundred seventy-six dollars (\$176).

(l) A school qualifies for a grant under this subsection if the school had a graduation rate greater than seventy-five percent (75%) but less than ninety percent (90%) for the school year ending in the immediately preceding state fiscal year. The grant amount for the state fiscal year is:

(1) the count of the school corporation's pupils who met the requirements for graduation for the school year ending in the immediately preceding state fiscal year; multiplied by

(2) eighty-eight dollars (\$88).

(m) This subsection does not apply to a school in its first year of operation or to a school corporation that is entitled to a distribution under subsection (k) or (l). A school qualifies for a grant under this subsection if the school's school year over school year percentage growth in its graduation rate is at least ~~one five percent (1%)~~; **(5%)**, comparing the graduation rate for the school year ending in the immediately preceding state fiscal year to the graduation rate for the school year immediately preceding that school year. The grant amount for the state fiscal year is:

(1) the count of the school corporation's pupils who met the requirements for graduation in the school year ending in the immediately preceding state fiscal year; multiplied by

(2) ~~one thousand dollars (\$1,000)~~; **one hundred seventy-six dollars (\$176)**.

(n) This subsection applies to the state fiscal year beginning July 1, 2015, and ending June 30, 2016. Notwithstanding subsection (h), (i), or (j), the amount of the grant described in subsection (h), (i), or (j) shall be calculated using the higher of:

(1) the percentage of passing scores on ISTEP program tests for the school for the 2013-2014 school year; or

(2) the percentage of passing scores on ISTEP program tests for the school for the 2014-2015 school year.

If a grant amount for a school is calculated using the percentage described in subdivision (1), the ISTEP data from the 2013-2014 school year shall be used in the calculation of the grant amount, and the grant amount may not exceed the grant amount that the school received for the state fiscal year beginning July 1, 2014, and ending June 30, 2015, or in the case of a currently eligible school that was ineligible for a grant in the state fiscal year beginning July 1, 2014, and ending June 30, 2015, because the

school had not completed the required teacher evaluations, the grant amount that the school would have been entitled to receive for the state fiscal year beginning July 1, 2014, and ending June 30, 2015, if the school had been eligible. ~~Notwithstanding subsection (g)~~; The school corporation shall distribute all stipends from a performance grant to individual teachers within twenty (20) business days of the date the department distributes the performance grant to the school corporation.

(o) The department, after review by the budget committee, may waive the December 5 deadline to distribute an annual performance grant to the school corporation under subsection (g) for that state fiscal year and approve an extension of that deadline to a later date within that state fiscal year, if the department determines that a waiver and extension of the deadline is in the public interest.

~~(p)~~ **(p)** This section expires June 30, 2017.

SECTION 6. [EFFECTIVE UPON PASSAGE] (a) The appropriation in P.L.1001-2015 of two million dollars (\$2,000,000) for excellence in performance grants does not revert to the state general fund on June 30, 2016, but remains available for allotment if the state board of education approves the grants before July 1, 2016.

(b) This SECTION expires June 30, 2017."

Renumber all SECTIONS consecutively.

(Reference is to HB 1109 as printed January 22, 2016.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce & Technology, to which was referred House Bill 1156, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred House Bill 1222, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred House Bill 1259, has had the same under

consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce & Technology, to which was referred House Bill 1272, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred House Bill 1336, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill 1353, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 5, delete "twenty-four (24)" and insert "**twenty-one (21)**".

Page 4, delete lines 13 through 15, begin a new line block indented and insert:

"(7) The chairperson of the board of directors of the natural resources foundation."

Page 4, line 36, after "(B)" delete "(1)".

Page 5, line 2, after "represent" insert "**one (1) or more of**".

Page 5, between lines 7 and 8, begin a new line blocked left and insert:

"Each group and community listed in subdivisions (1) through (5) must be represented on the project committee."

Page 5, delete lines 11 through 13.

Page 5, line 14, delete "(2)" and insert "**(1)**".

Page 5, line 16, delete "(3)" and insert "**(2)**".

Page 5, line 16, delete "or" and insert "**, the minority leader of the house of representatives,**".

Page 5, line 17, after "senate" insert "**, or the minority leader of the senate**".

Page 5, line 20, strike "14(b)(7)" and insert "**14(b)(8)**".

Page 5, line 42, delete "(a)".

Page 6, line 1, after "chair" insert "**and vice chair**".

Page 6, delete lines 3 through 6.

Page 6, line 8, reset in roman "Nine (9)".

Page 6, line 8, delete "Eleven".

Page 6, line 9, delete "(11)".

Page 7, delete lines 17 through 34, begin a new paragraph and insert:

"SECTION 22. IC 14-12-2-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 21. (a) The following procedure must be followed before ~~the department money from the fund~~ **may be used to acquire property for a project** under this chapter:

(1) The project committee must ~~propose a project to the trust committee review and approve a project requiring the acquisition of the property.~~

(2) The ~~trust project~~ **project** committee must ~~approve the project proposed by the project committee, with or without modifications, and~~ recommend the project to the governor for approval.

(3) The governor must approve the project as recommended by the ~~trust project~~ **project** committee and inform the director of the department of the governor's approval.

(b) When the procedure under subsection (a) is completed, the department shall acquire the property subject to the project according to Indiana law."

Page 9, line 27, strike "26(6)" and insert "**26(a)(6)**".

Page 9, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 28. IC 14-12-2-28 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 28. After the allotment required under section 27 of this chapter has been made, the following allotments shall be made:

(1) Ten percent (10%) of the balance shall be allotted to each account listed in section ~~26(1)~~ **26(a)(1)** through ~~26(5)~~ **26(a)(5)** of this chapter.

(2) Fifty percent (50%) of the balance shall be allotted to the account listed in section ~~26(7)~~ **26(a)(7)** of this chapter.

SECTION 29. IC 14-12-2-30 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 30. (a) Money in the accounts of the fund, other than the stewardship account, may be used for the following:

(1) Acquisition costs, such as costs of surveying, title insurance, and other activities associated with the transfer of title to property.

(2) Costs of services and expenses related to acquisition, such as engineering, appraisal, environmental, accounting, project development, and legal services and expenses.

(b) Money in the fund may not be used for the following:

(1) The costs of construction of structures other than those authorized under section ~~26(6)~~ **26(a)(6)** of this chapter.

(2) The costs of removal (as defined in IC 13-11-2-187) and remedial action (as defined in IC 13-11-2-185) relating to hazardous substances (as defined in IC 13-11-2-98).

(3) The costs of wastewater treatment."

Page 11, line 32, delete "topic of identifying" and insert

"following topics:

- (1) An accounting of all properties maintained by the department of natural resources, including needs for maintenance, improvements, and upgrades to those properties.
- (2) Anticipated future needs for acquisition of new properties.
- (3) Identifying".

Renumber all SECTIONS consecutively.

(Reference is to HB 1353 as printed January 26, 2016.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce & Technology, to which was referred House Bill 1360, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce & Technology, to which was referred House Bill 1365, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 65, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 116. IC 25-1-1.1-4, AS AMENDED BY P.L.3-2014, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) This section applies to an individual who is applying for, or will be applying for, an initial license or an initial certificate under one (1) of the occupations or professions described in IC 25-0.5-1.

(b) **The following definitions apply throughout this section:**

- (1) **"Expanded criminal history check" has the meaning set forth in IC 20-26-2-1.5.**
- (2) **As used in this chapter, "national "National criminal history background check" means the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or any other method of positive identification.**

(c) An individual applying for an initial license or initial certificate specified in subsection (a) shall submit to:

- (1) **an expanded criminal history check; or**
- (2) **a national criminal history background check at the cost of the individual.**

The secretary of state shall make the determination whether

an individual shall submit to an expanded criminal history check or a national criminal history background check under this section.

(d) The:

- (1) state police department; or
- (2) **consumer reporting agency regulated under 15 U.S.C. 1681 et seq.;**

shall release the results of **an expanded criminal history check or a national criminal history background check** conducted under this section to the Indiana professional licensing agency.

(e) A board, a commission, or a committee may conduct a random audit and require an individual seeking a renewal of a license or a certificate specified in subsection (a) to submit to **an expanded criminal history check or a national criminal history background check** at the cost of the individual."

Renumber all SECTIONS consecutively.

(Reference is to HB 1365 as printed January 22, 2016.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill 1372, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 6, line 22, delete "multiyear annual renewal" and insert **"continuous"**.

Page 6, line 24, delete "multiyear".

Page 6, line 25, delete "as a continuous bond" and insert **"for"**.

Page 6, line 26, delete "throughout".

Page 6, between lines 29 and 30, begin a new line block indented and insert:

"However, any claim under a continuous bond used under this subdivision must be brought not later than four (4) years after the occurrence giving rise to the claim."

Page 6, line 30, after "The" insert **"maximum"**.

Page 6, line 30, after "a" insert **"single"**.

Page 6, line 31, after "is the" insert **"penal sum of the bond."**

In the case of a continuous bond, the maximum aggregate liability of the surety or insurer for the entire term that the bond is in effect is the penal".

Page 6, line 31, delete "coverage".

Page 6, line 31, strike "amounts specified".

Page 6, line 31, delete "for that policy".

Page 6, line 32, delete "year".

Page 6, line 32, strike "in the bonds issued by the surety or insurer."

Page 6, line 32, after "insurer" delete ".".

Page 6, line 33, after "year." insert **"bond for the current**

term of the bond and the penal sums of the bond for the three (3) immediately preceding years."

Page 17, line 28, delete "one hundred dollars (\$100)" and insert "**five thousand dollars (\$5,000) per year;**".

Page 17, delete line 29.

(Reference is to HB 1372 as printed January 19, 2016.)
and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred House Bill 1374, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BRAY, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SR 36 Senator Raatz

Congratulating WKBV on its 90th anniversary.

SCR 42 Senator Tomes

Congratulating Elizabeth D. Baier upon her retirement.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 36

Senate Resolution 36, introduced by Senator Raatz:

A SENATE RESOLUTION congratulating WKBV on its 90th anniversary.

Whereas, William Knox founded WKBV, which went on the air on September 27, 1926 as a commercial station in Brookville, Indiana on 1490 AM;

Whereas, Knox moved the station twice: Once to Connersville and then to Richmond, where the station operates today;

Whereas, Knox then sold the station to local businessmen who formed the Central Broadcasting Corporation in 1943, resulting in changes throughout the subsequent years such as adding its sister station, 101.3 FM;

Whereas, Whitewater Broadcasting, now owned by David

Rogers, eventually purchased WKBV and have put an emphasis on community partnerships, support for local projects, aid for the community, and provision for public service;

Whereas, In 2014, WKBV made a historic move by adding an FM signal to its name at 100.9 FM;

Whereas, Today, thousands tune into WKBV for high school sports, Cincinnati Reds baseball, college sports, NBA action, MLB games, ESPN sports talk radio, and local news and weather;

Whereas, The station has and always will be a station for its listeners, is the oldest station in its company, the third oldest in the state, and is one of the best sellers with clients and listeners; and

Whereas, In honor of its 90th anniversary, WKBV will host a celebration in the Summer of 2016 with prominent community members and the declaration of WKBV Day by Richmond Mayor Dave Snow: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana State Senate congratulates WKBV on its 90th anniversary and recognizes the great community impact the station has had in Richmond, Indiana throughout the years.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to WKBV and Whitewater Broadcasting.

The resolution was read in full and adopted by voice vote.

Senate Concurrent Resolution 42

Senate Concurrent Resolution 42, introduced by Senator Tomes:

A CONCURRENT RESOLUTION congratulating Elizabeth D. Baier upon her retirement as the Executive Director of the Posey County United Way.

Whereas, March 31, 2016 marks the retirement of Elizabeth D. Baier after a 34-year tenure as the Executive Director of the United Way of Posey County;

Whereas, Baier began her involvement with the United Way of Posey County as a volunteer in 1980, and now holds the honor of being the longest serving United Way executive director in the State of Indiana;

Whereas, On September 16, 1982, Baier was named the executive director of the organization, and since that time, Baier has increased the number of board meetings; introduced a board manual and new board member orientation; developed a

campaign volunteer training manual; established the Leadership Giving Program and the Leadership Giving recognition dinner; created the Resources Deployment Committee; assisted with the establishment of 211 in Posey County; introduced annual workshops; and successfully pursued numerous grants, among her many other contributions;

Whereas, On her 20th anniversary as the Executive Director of the Posey County United Way and in honor of her tremendous work, Baier was honored with a Sagamore of the Wabash, the state's highest honorary award;

Whereas, The City of Mount Vernon and Posey County both held "Elizabeth Baier Day" in honor of her 25th anniversary, and on the same anniversary, the Elizabeth D. Baier Youth Spirit Award was created in her honor for Posey County high school seniors who excel as volunteers within their community and display leadership;

Whereas, In addition to her years with United Way, Baier has been a member of St. Matthew Church since 1979; a member of Mount Vernon Business & Professional Women since 1980; a member of the Board of Directors of the Volunteer Lawyer Program since 1999; County Manager for Posey County for the VLP since 1999; a member of the Board of Directors of the Posey County Historical Society since 1985; a member of the Posey County Bar Association, Indiana State Bar Association, and Evansville Bar Association since 1979; a member of the Mount Vernon 175th Birthday Board of Directors; and she has practiced law in Mount Vernon since 1979;

Whereas, Baier earned her B.A. from Indiana University Northwest in 1976 and her J.D. from Indiana University Mauer School of Law in 1979; and

Whereas, It is fitting that Baier is congratulated for her extensive contributions to United Way, Posey County, and the State of Indiana, and that she is wished well on the celebration of her retirement: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Elizabeth D. Baier upon her retirement as the Executive Director of the Posey County United Way for her extensive contributions to the organization, the community, and the state.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Elizabeth D. Baier.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative McNamara.

Senate Concurrent Resolution 30

Senate Concurrent Resolution 30, introduced by Senator Leising:

A CONCURRENT RESOLUTION recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.

Whereas, The FFA National organization, established in 1928, and Indiana FFA, established in 1929, have prepared future generations for the challenges of feeding a growing population;

Whereas, National FFA encompasses 50 states and two U.S. territories, representing 629,327 members and 7,757 local chapters, and Indiana FFA has more than 11,500 members and 204 chapters;

Whereas, The FFA motto of "Learning to Do, Doing to Learn, Earning to Live, Living to Serve" has been upheld and applied by the organization by focusing on the individual student and providing a path to achievement in premier leadership, personal growth, and career success through agricultural education;

Whereas, The organization's directive is to develop agricultural leaders, increase awareness of the importance of agriculture, strengthen the confidence of the students involved, promote the choice of agriculture as a career, encourage agricultural experience programs, highlight wise management of community resources, develop member's interpersonal skills and character, promote cooperation and healthy lifestyles, and encourage excellence in scholarship; and

Whereas, FFA Week started as an annual celebration in 1947 as an opportunity for members, alumni and sponsors to advocate for agricultural education and the organization; and will be celebrated this year February 21-28: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes FFA as an integral part of agricultural education both locally and nationally.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Indiana FFA State Officers Kenzie Kretzmeier, Brett Roberts, Mason Gordan, Annalee Witte, Sean Harrington, Courtney Adams, Josh Calhoun, as well as State Staff Joe Martin, Rob Hays, and Tamara Neighbors.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Lehe.

Senate Concurrent Resolution 44

Senate Concurrent Resolution 44, introduced by Senator Breaux:

A CONCURRENT RESOLUTION to honor the recipients of the POWER higher education scholarships.

Whereas, The Political Organization for Women's Education and Representation (POWER) was started in 1993 for female members of the General Assembly to come together to discuss matters that affect them and other women throughout Indiana, supporting legislation that furthers their cause;

Whereas, POWER's mission statement is to serve as a forum for discussion of legislative measures introduced in the Indiana General Assembly by having a major forum primarily for women legislators interested in improving the quality of life for women and all citizens of Indiana;

Whereas, POWER awards scholarships to non-traditional female students who are more likely to put their educational goals on hold because of life's obligations;

Whereas, POWER scholarships are awarded to all nine congressional districts giving women all over the state the opportunity to apply and continue in their education; and

Whereas, In 2016 POWER awarded 20 scholarships to deserving and hard working women from around the state, the recipients are: Rena Tolbert, Kristin Wesse, Janice Nichols, Jessica Fry, Anita Schafer, Evelyn Hefley, Ktaykupaw Zarni-Htoo, Elizabeth Sabelhaus, Mecca Andrews-Hill, Cindy Johnson, Sharon Hoffman, Angie Lyon, Laci Borgman, Patricia Hudson, Bayyinah Batts, Tatijuana Byrd, Kerseclia Patterson, Sarah Slover, Jessica Troxel, and, Bridget Badder: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates all 20 scholarship recipients for their hard work and efforts in continuing their education.

SECTION 2. The Secretary of the Senate is hereby directed to transmit 25 copies of this resolution to the recipients and Senator Jean Breaux, President of POWER.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Shackelford and Summers.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution

43 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 40 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING**Senate Concurrent Resolution 13**

Senator Buck called up Senate Concurrent Resolution 13 for second reading. The resolution was read a second time and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Karickhoff, VanNatter, and Cook.

Senate Concurrent Resolution 18

Senator Tomes called up Senate Concurrent Resolution 18 for second reading. The resolution was read a second time and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative McNamara.

RESOLUTIONS ON FIRST READING**House Concurrent Resolution 44**

House Concurrent Resolution 44, sponsored by Senator Merritt:

A CONCURRENT RESOLUTION congratulating the Fishers High School "We the People" team.

Whereas, On December 14, 2015, the 2015-2016 Fishers High School team won the "We the People" state championship;

Whereas, The Fishers High School team will represent its community and state in the "We the People" high school National Finals on April 22-25, 2016;

Whereas, Special recognition should be given to the assistants and volunteers who helped make this victory possible: Unit 1 - Robert Dyson, Jr. and Dr. Chris Edwards; Unit 2 - Mike Fassold; Unit 3 - Judge Dan Henke; Unit 4 - Geoff Tease; Unit 5 - Taylor Schueth; Unit 6 - Meghan McCann;

Whereas, The support of Principal Jason Urban, Superintendent Dr. Allen Bourff, the Hamilton Southeastern School Board, Mayor Scott Fadness, and the Fishers City Council helped to strengthen the team's resolve to successfully complete the competition;

Whereas, Hard work and dedication by team members and coach Liz Paternoster helped the Fishers High School team become repeat state champions;

Whereas, The "We the People" program was developed by the Center for Civic Education and is funded by the U.S. Department of Education under an act of Congress, with the goal of promoting civic responsibility and competence in students;

Whereas, Students in grades 4-12 participate in the program; and

Whereas, Involvement with the "We the People" competition allows students to develop a greater understanding of democratic principles and prepares Indiana youth for a future that will encourage their knowledge of and participation in our democratic system of government: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the Fishers High School "We the People" team and wishes its team members continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to team members Noah L. Alderton, Zaid Ansari, Alexander D. Brown, Zachary R. Brown, Morgan S. Carrithers, Caleb A. Conlisk, Rachel H. Desmarais, Gabriel D. Donnelly, Kendall M. Gardner, Emma A. Getz, Mara K. Gordon, Daniel A. Greiwe, Adam J. Herke, Marlene K. Jacocks, Andrew H. Landeen, Kellie S. McCann, Tia M. McElmurry, Lauren K. Meadows, Hannah S. Norton, Ethan A. Smith, Chloe A. Snipes, Daniel J. Stevens, Julian K. Strobel, Tristan X. Strobel, Xiaobin Tan, Alexander S. Todd; coach Liz Paternoster; Principal Jason Urban; Superintendent Dr. Allen Bourff; the Hamilton Southeastern School Board; Mayor Scott Fadness; and the Fishers City Council.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 45

House Concurrent Resolution 45, sponsored by Senator Tomes:

A CONCURRENT RESOLUTION congratulating the North High School girls golf team.

Whereas, The North High School girls golf team is the 2015 state champion;

Whereas, The Lady Huskies have been undefeated for two years in a row and are now back-to-back state champions;

Whereas, The Lady Huskies were led by sophomore Hadley Walts, who finished tied for second overall at 151 (79-72); Emma Kieffer, the team's only senior, finished fourth overall at 153 (76-77); junior Katelyn Le ended at 168 (82-86); and junior Brittany Skinner finished with 179 (95-84);

Whereas, Hannah Davis and Katelyn Skinner split rounds the last two days and shot 95 and 98, respectively, for the Lady Huskies;

Whereas, The girls have made school history by becoming the only back-to-back team state champions at North High School and the only girls team to be back-to-back state champions in the Evansville-Vanderburgh School Corporation;

Whereas, The North High School girls golf team was the number-one ranked team in Indiana for the entire golf season and amassed a record of 145 wins and no losses;

Whereas, In addition to the state championship title, the Lady Huskies were the Indiana High School Athletic Association (IHSAA) Sectional Champions for the fourth year in a row with a 292, the second lowest score in girls golf IHSAA Sectional history, were IHSAA Regional Champion the second year in a row, and winners of the 43rd Annual IHSAA Girls Golf State Tournament at Prairie View Golf Club;

Whereas, Under the guidance of coach Ken Wempe, the Lady Huskies have accomplished many goals and learned many valuable life lessons; and

Whereas, Special accomplishments such as this deserve special recognition: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the North High School girls golf team on its state championship victory and wishes the team continued success in all its future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to each member of the golf team, coach Ken Wempe, principal John Skinner, and superintendent Dr. David Smith.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

**ENGROSSED HOUSE BILLS
ON SECOND READING**

Engrossed House Bill 1004

Senator Kruse called up Engrossed House Bill 1004 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1004-4)

Madam President: I move that Engrossed House Bill 1004 be amended to read as follows:

Page 12, line 23, delete "administrative" and insert "**administrator**".

Page 19, delete lines 27 through 30.

Page 19, line 31, delete "(4)" and insert "**(3)**".

Page 19, line 38, delete "(5)" and insert "**(4)**".

Page 19, delete lines 40 through 42.

Page 20, delete lines 1 through 11.

Page 20, line 12, delete "fiscal year in which the supplemental payment is received."

Page 20, line 13, reset in roman "supplement".

Page 20, line 13, delete "supplemental payment or an addition to a teacher's".

Page 20, line 14, delete "base salary".

Page 20, line 15, reset in roman "supplement".

Page 20, line 15, delete "supplemental payment".

Page 20, line 16, delete "or addition to a teacher's base salary".

Page 20, line 16, reset in roman "Such".

Page 20, line 16, delete "A" and insert "a".

Page 20, line 17, reset in roman "supplement".

Page 20, line 17, delete "supplemental payment under this subsection".

Page 21, after line 35, begin a new paragraph and insert:

"SECTION 11. IC 20-29-6-4, AS AMENDED BY P.L.213-2015, SECTION 186, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) A school employer shall bargain collectively with the exclusive representative on the following:

(1) Salary.

(2) Wages.

(3) Salary and wage related fringe benefits, including accident, sickness, health, dental, vision, life, disability, retirement benefits, and paid time off as permitted to be bargained under IC 20-28-9-11.

(b) Salary and wages include the amounts of pay increases available to employees under the compensation plan adopted under IC 20-28-9-1.5, but do not include the teacher evaluation procedures and criteria, any components of the teacher evaluation plan, rubric, or tool, or any performance stipend or addition to base salary based on a performance stipend to an individual teacher under IC 20-43-10-3.

(c) **A school employer and an exclusive representative may bargain to give the school employer discretion to provide to a school employee who is newly hired in a hard to fill**

teaching position a supplemental payment that exceeds the salary specified in the school corporation's compensation plan adopted under IC 20-28-9-1.5.

SECTION 12. **An emergency is declared for this act.**"

Renumber all SECTIONS consecutively.

(Reference is to EHB 1004 as printed February 19, 2016.)

BECKER

Upon request of Senator Becker the President ordered the roll of the Senate to be called. Roll Call 186: yeas 20, nays 30. Motion failed.

SENATE MOTION
(Amendment 1004-2)

Madam President: I move that Engrossed House Bill 1004 be amended to read as follows:

Page 1, delete lines 1 through 15.

Delete pages 2 through 10.

Page 11, delete lines 1 through 24.

Page 21, after line 35, begin a new paragraph and insert:

"SECTION 8. [EFFECTIVE UPON PASSAGE] (a) **As used in this SECTION, "committee" refers to the interim study committee on pension management oversight established by IC 2-5-1.3-4(13).**

(b) **As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.**

(c) **The legislative council is urged to assign to the committee during the 2016 legislative interim the topic of establishing a teachers' defined contribution plan as an account within the Indiana state teachers' retirement fund or as a separate fund under Section 401(a) or another applicable section of the Internal Revenue Code.**

(d) **If the topic described in subsection (c) is assigned to the committee, the committee shall issue a final report to the legislative council containing the committee's findings and recommendations, including any recommended legislation, in an electronic format under IC 5-14-6 not later than November 1, 2016.**

(e) **This SECTION expires December 31, 2016.**

SECTION 9. **An emergency is declared for this act.**"

Renumber all SECTIONS consecutively.

(Reference is to EHB 1004 as printed February 19, 2016.)

TALLIAN

Upon request of Senator Tallian the President ordered the roll of the Senate to be called. Roll Call 187: yeas 14, nays 36. Motion failed.

SENATE MOTION
(Amendment 1004-3)

Madam President: I move that Engrossed House Bill 1004 be amended to read as follows:

Page 4, delete lines 30 through 34, begin a new paragraph and insert:

"(b) **An individual who makes an election under subsection (a) may revoke that election at any time during a period that ends one (1) year after the date the individual made the election.**

(c) An election under subsection (a) or a revocation under subsection (b):

- (1) must be made in writing; and**
(2) must be filed with the board, on a form prescribed by the board."

Page 4, line 35, delete "(c)" and insert "(d)".
 (Reference is to EHB 1004 as printed February 19, 2016.)

TALLIAN

Upon request of Senator Tallian the President ordered the roll of the Senate to be called. Roll Call 188: yeas 13, nays 37. Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1005

Senator Kruse called up Engrossed House Bill 1005 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1012

Senator Becker called up Engrossed House Bill 1012 for second reading. The bill was read a second time by title.

SENATE MOTION
 (Amendment 1012-2)

Madam President: I move that Engrossed House Bill 1012 be amended to read as follows:

Page 1, line 9, after "Disability" insert "**Bracelet and**".

Page 2, line 7, after "issue" insert "**a bracelet or**".

Page 2, line 9, after "." insert "**An individual described in this subsection may request, and the state department shall issue, both the bracelet and the identification card.**".

Page 2, line 11, after "(1)" insert "**bracelet or**".

Page 2, line 16, after "obtain" insert "**a bracelet or**".

Page 2, line 19, after "for" insert "**a bracelet and**".

(Reference is to EHB 1012 as printed February 16, 2016.)

PATRICIA MILLER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1038

Senator Crider called up Engrossed House Bill 1038 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1068

Senator Messmer called up Engrossed House Bill 1068 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1081

Senator Hershman called up Engrossed House Bill 1081 for second reading. The bill was read a second time by title.

SENATE MOTION
 (Amendment 1081-1)

Madam President: I move that Engrossed House Bill 1081 be amended to read as follows:

Page 64, delete line 42, begin a new paragraph and insert:

"SECTION 55. IC 6-3.6-6-20, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 20. **(a) This section does not apply to distributions of revenue under section 9 of this chapter.**

(a) (b) This section applies only to the following:

(1) Any allocation or distribution of revenue under section 3(1) of this chapter that is made on the basis of property tax levies in counties that formerly imposed a tax under IC 6-3.5-1.1 (before its repeal January 1, 2017).

(2) Any allocation or distribution of revenue under section ~~3(1)~~ or 3(2) of this chapter that is made on the basis of property tax levies in counties that formerly imposed a tax under IC 6-3.5-6 (before its repeal January 1, 2017).

(c) Subject to subsection (b), if a school corporation or civil taxing unit of an adopting county does not impose a property tax levy that is first due and payable in a calendar year in which revenue under section ~~3(1)~~ or ~~3(2)~~ 3 of this chapter is being allocated or distributed, that school corporation or civil taxing unit is entitled to receive a part of the revenue under section 3(1) or 3(2) of this chapter (as appropriate) to be distributed within the county. The fractional amount that such a school corporation or civil taxing unit is entitled to receive each month during that calendar year equals the product of the following:

(1) The amount of revenue under section ~~3(1)~~ or ~~3(2)~~ 3 of this chapter to be distributed on the basis of property tax levies during that month; multiplied by

(2) A fraction. The numerator of the fraction equals the budget of that school corporation or civil taxing unit for that calendar year. The denominator of the fraction equals the aggregate budgets of all school corporations or civil taxing units of that county for that calendar year.

(b) (d) Subject to subsection (b), if for a calendar year a school corporation or civil taxing unit is allocated a part of a county's revenue under section ~~3(1)~~ or ~~3(2)~~ 3 of this chapter by subsection ~~(a)~~; **(c), the calculations used to determine the shares of revenue of all other school corporations and civil taxing units under section ~~3(1)~~ or ~~3(2)~~ 3 of this chapter (as appropriate) shall be changed each month for that same year by reducing the amount of revenue to be distributed by the amount of revenue under section ~~3(1)~~ or ~~3(2)~~ 3 of this chapter allocated under subsection ~~(a)~~ **(c)** for that same month. The department of local government finance shall make any adjustments required by this subsection and provide them to the appropriate county auditors."**

Page 65, delete lines 1 through 39.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1081 as printed February 19, 2016.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1085

Senator Steele called up Engrossed House Bill 1085 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1090

Senator Crider called up Engrossed House Bill 1090 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1201

Senator Hershman called up Engrossed House Bill 1201 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1209

Senator Pete Miller called up Engrossed House Bill 1209 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1215

Senator Crider called up Engrossed House Bill 1215 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 1215-1)

Madam President: I move that Engrossed House Bill 1215 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-4-37-1.3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1.3. As used in this chapter, "division" refers to the division of historic preservation and archeology of the department of natural resources established by IC 14-21-1.**

SECTION 2. IC 4-4-37-7, AS ADDED BY P.L.213-2015, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) The office may award a grant to a person in the year in which the person completes the preservation or rehabilitation of historic property and obtains the certifications required under section 8 of this chapter.

(b) The maximum amount of a grant awarded under this section is equal to twenty percent (20%) of the qualified expenditures that:

- (1) the person makes for the preservation or rehabilitation of historic property; and
- (2) are approved by the office.

(c) Each grant shall be made under a grant agreement by and between the office and the person receiving the grant. The grant agreement must include all of the following:

- (1) A timeline for completing the project, including**

milestones that the person commits to achieving by the time specified.

(2) The approved plans for the preservation or rehabilitation of the historic property.

(3) The estimated cost of the preservation or rehabilitation of the historic property and all sources of money for the project.

(4) The financing plan by the person proposing the project.

(5) Any other terms or conditions the office considers appropriate.

SECTION 3. IC 4-4-37-8, AS ADDED BY P.L.213-2015, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 8. The office may award a grant to a person if all the following conditions are met:

(1) The historic property is:

(A) located in Indiana;

(B) at least fifty (50) years old; and

(C) owned by the person. **This requirement does not apply to a nonprofit organization facilitating a qualified affordable housing project.**

(2) The office certifies that the historic property is listed in:

(A) the register of Indiana historic sites and historic structures; or

(B) the National Register of Historic Places, either individually or as a contributing resource in a National Register District.

(3) The office certifies that the person submitted a proposed preservation or rehabilitation plan to the division that complies with the standards of the division.

~~(4) The office certifies that the preservation or rehabilitation work that is the subject of the grant substantially complies with the proposed plan referred to in subdivision (3).~~

~~(5) The preservation or rehabilitation work is completed in not more than:~~

~~(A) two (2) years; or~~

~~(B) five (5) years if the preservation or rehabilitation plan indicates that the preservation or rehabilitation is initially planned for completion in phases.~~

~~The time in which work must be completed begins when the physical work of construction or destruction in preparation for construction begins.~~

~~(4) The submitted plan referenced in subdivision (3) complies with the program guidelines established by the office.~~

~~(6) (5) The historic property is to be:~~

~~(A) actively used in a trade or business;~~

~~(B) held for the production of income; or~~

~~(C) held for the rental or other use in the ordinary course of the person's trade or business.~~

~~(7) (6) The qualified expenditures for preservation or rehabilitation of the historic property exceed ten thousand dollars (\$10,000).~~

SECTION 4. IC 4-4-37-9, AS ADDED BY P.L.213-2015,

SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9. The office may provide the certifications referred to in section 8(3) ~~and 8(4)~~ of this chapter if a person's proposed preservation or rehabilitation plan complies with the standards of the office and the person's preservation or rehabilitation work complies with the plan."

Renumber all SECTIONS consecutively.
(Reference is to EHB 1215 as printed February 17, 2016.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1219

Senator Pete Miller called up Engrossed House Bill 1219 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1233

Senator Crider called up Engrossed House Bill 1233 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1278

Senator Patricia Miller called up Engrossed House Bill 1278 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1294

Senator Head called up Engrossed House Bill 1294 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1298

Senator Bray called up Engrossed House Bill 1298 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1298-1)

Madam President: I move that Engrossed House Bill 1298 be amended to read as follows:

Page 28, after line 41, begin a new paragraph and insert:
"SECTION 19. **An emergency is declared for this act.**"
Renumber all SECTIONS consecutively.
(Reference is to EHB 1298 as printed February 19, 2016.)

BRAY

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1359

Senator Brown called up Engrossed House Bill 1359 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1395

Senator Lanane called up Engrossed House Bill 1395 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1395-1)

Madam President: I move that Engrossed House Bill 1395 be amended to read as follows:

Page 5, line 3, delete "." and insert "**who serves as co-chairperson of the panel.**"

Page 5, line 12, delete "chairperson" and insert "**co-chairperson**".

Page 6, line 8, delete "chairperson." and insert "**co-chairpersons.**"

(Reference is to EHB 1395 as printed February 19, 2016.)

LANANE

Upon request of Senator Lanane the President ordered the roll of the Senate to be called. Roll Call 189: yeas 11, nays 39. Motion failed.

SENATE MOTION
(Amendment 1395-2)

Madam President: I move that Engrossed House Bill 1395 be amended to read as follows:

Page 5, line 2, delete "twenty-two (22)" and insert "**nineteen (19)**".

Page 5, delete lines 7 through 10.

Page 5, line 11, delete "(6)" and insert "**(4)**".

Page 5, line 11, delete "five (5)" and insert "**four (4)**".

Page 5, delete lines 12 through 15.

Page 5, line 16, delete "(B)" and insert "**(A)**".

Page 5, line 17, delete "(C)" and insert "**(B)**".

Page 5, line 18, delete "(D)" and insert "**(C)**".

Page 5, line 19, delete "(E)" and insert "**(D)**".

Page 5, line 22, delete "(7)" and insert "**(5)**".

Page 5, line 29, delete "(8)" and insert "**(6)**".

Page 5, line 36, delete "(9)" and insert "**(7)**".

Page 6, line 7, delete "twelve (12)" and insert "**ten (10)**".

Page 6, line 8, delete "The panel shall meet at the call of the chairperson." and insert "**The governor shall call the initial meeting of the panel. At the initial meeting of the panel, the members of the panel shall elect a chairperson. The commissioner of the department of workforce development shall act as the initial chairperson of the panel until the chairperson is elected under this subsection. The panel shall meet at the call of the chairperson for subsequent meetings of the panel.**"

(Reference is to EHB 1395 as printed February 19, 2016.)

LANANE

Motion failed. The bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1036

Senator M. Young called up Engrossed House Bill 1036 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 190: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1102

Senator Steele called up Engrossed House Bill 1102 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 191: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1169

Senator Hershman called up Engrossed House Bill 1169 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 192: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1173

Senator Leising called up Engrossed House Bill 1173 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 193: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1187

Senator Glick called up Engrossed House Bill 1187 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 194: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1218

Senator Perfect called up Engrossed House Bill 1218 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 195: yeas 43, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1271

Senator Banks called up Engrossed House Bill 1271 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 196: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1288

Senator Walker called up Engrossed House Bill 1288 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 197: yeas 46, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

SENATE MOTION

Madam President: I move that Senator Pete Miller be added as second sponsor of Engrossed House Bill 1081.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second sponsor of Engrossed House Bill 1038.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second sponsor of Engrossed House Bill 1215.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second sponsor of Engrossed House Bill 1090.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Eckerty be added as second sponsor of Engrossed House Bill 1300.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as second sponsor of Engrossed House Bill 1180.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as

second sponsor of Engrossed House Bill 1130.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Banks be added as second sponsor of Engrossed House Bill 1025.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Boots and Brown be added as cosponsors of Engrossed House Bill 1075.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1012.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1271.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as cosponsor of Engrossed House Bill 1271.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as second sponsor of Engrossed House Bill 1105.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as cosponsor of Engrossed House Bill 1288.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second sponsor of Engrossed House Bill 1359.

BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Brown be added as cosponsor of Engrossed House Bill 1218.

PERFECT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1187.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1215.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1102.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1183.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Arnold, Banks, Bassler, Becker, Boots, Bray, Breaux, Broden, Brown, Charbonneau, Crider, Delph, Eckerty, Ford, Glick, Grooms, Head, Hershman, Holdman, Houchin, Kenley, Kruse, Lanane, Leising, Long, Merritt, Messmer, Patricia Miller, Pete Miller, Mishler, Mrvan, Niemeyer, Perfect, Raatz, Randolph, Rogers, Schneider, Smith, Steele, Stoops, Tallian, Taylor, Tomes, Walker, Waltz, Yoder, M. Young, and Zakas be added as coauthors of Senate Concurrent Resolution 13.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Arnold, Banks, Bassler, Becker, Boots, Bray, Breaux, Broden, Brown, Buck, Charbonneau, Crider, Delph, Eckerty, Ford, Glick, Grooms, Head, Hershman, Holdman, Houchin, Kenley, Kruse, Lanane, Long, Merritt, Messmer, Patricia Miller, Pete Miller, Mishler, Mrvan, Niemeyer, Perfect, Raatz, Randolph, Rogers, Schneider, Smith, Steele, Stoops, Tallian, Taylor, Tomes, Walker, Waltz, Yoder, M. Young, and Zakas be added as coauthors of Senate Concurrent Resolution 30.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1127.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1336.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1374.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1259.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1164.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Schneider be added as cosponsor of Engrossed House Bill 1183.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Brown be added as cosponsor of Engrossed House Bill 1187.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as cosponsor of Engrossed House Bill 1154.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as cosponsor of Engrossed House Bill 1187.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1222.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, February 23, 2016.

LONG

Motion prevailed.

The Senate adjourned at 3:25 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUE ELLSPERMANN
President of the Senate