



Journal of the House

State of Indiana

119th General Assembly

First Regular Session

Thirty-fourth Day

Monday Afternoon

March 23, 2015

The invocation was offered by Pastor Sam Young of Central Christian Church in Huntington, a guest of Representative Daniel J. Leonard.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Daniel J. Leonard.

The Speaker ordered the roll of the House to be called:

Arnold	Klinker
Austin	Koch
Aylesworth	Lawson
Bacon	Lehe
Baird	Lehman <input type="checkbox"/>
Bartlett	Leonard
Bauer	Lucas
Behning	Macer
Beumer	Mahan
Borders	Mayfield
Braun	McMillin
C. Brown	McNamara
T. Brown	D. Miller
Burton	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cook	Negele
Cox	Niezgodski
Culver	Nisly
Davisson	Ober
DeLaney	Olthoff
Dermody	Pelath
DeVon	Pierce
Dvorak <input type="checkbox"/>	Porter <input type="checkbox"/>
Eberhart	Price
Errington	Pryor
Fine	Rhoads
Forestal	Richardson
Friend	Riecken
Frizzell	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Slager
Gutwein	Smaltz
Hale	M. Smith
Hamm	V. Smith
Harman	Soliday
Harris <input type="checkbox"/>	Speedy <input type="checkbox"/>
Heaton	Stemler
Huston <input type="checkbox"/>	Steuerwald
Judy	Sullivan
Karickhoff	Summers <input type="checkbox"/>
Kersey	Thompson
Kirchhofer	Torr

Truitt
Ubelhor
VanNatter
Washburne
Wesco

Wolkins
Wright
Zent
Ziemke
Mr. Speaker

Roll Call 304: 92 present; 8 excused. The Speaker announced a quorum in attendance. [NOTE: indicates those who were excused.]

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 26

The Speaker handed down Senate Concurrent Resolution 26, sponsored by Representatives Clere and Rhoads:

A CONCURRENT RESOLUTION congratulating Floyd Central High School and its many students who participated in the annual dance marathon which raised over \$94,000 to benefit the Riley Hospital for Children in Indianapolis.

Whereas, On Saturday February 28, 2015, hundreds of Floyd Central High School students gathered to spend eight hours participating in the annual dance marathon to raise over \$94,000 for the Riley Hospital for Children in Indianapolis;

Whereas, Floyd Central twelfth grader Mary Hayes explained that it was great to see the school come together thanks to the students' hard work in doing something to help the kids at Riley;

Whereas, The annual Floyd Central Dance Marathon is an eight hour event where students dance, play games, eat, and hang out while raising funds for Riley Hospital;

Whereas, This event is the culmination of the students' fundraising for the Riley Hospital for Children, a health care center in Indianapolis that operates on the belief that no child seeking treatment should ever be turned away;

Whereas, Floyd Central tenth grader Grace Reising received a kidney transplant from Riley Hospital this past summer and after spending quite some time at the hospital, Reising said that watching her classmates help support the hospital was especially meaningful;

Whereas, While the dance marathon is primarily a fundraising event, students and faculty also say that it offers a rare occasion where high school cliques and stereotypes do not exist;

Whereas, Principal Janie Whaley explained that with a school of this size, it can often be difficult to have the whole student body come together in such a meaningful way, but that the dance marathon achieves this difficult goal;

Whereas, Throughout the evening, Floyd Central families who have benefitted from Riley Hospital share their stories, placing greater meaning behind all the music and dancing;

Whereas, This year Floyd Central set a new fundraising record with the \$94,867.62 total it achieved; and

Whereas, It is fitting that the Indiana General Assembly gives special recognition to Floyd Central High School for its annual dance marathon and for setting a new fundraising record this year: 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 Floyd Central High School and its many students who participated in the annual dance marathon which raised over \$94,000 to benefit the Riley Hospital for Children in Indianapolis.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Floyd Central High School Principal Janie Whaley, Assistant Principal Rob Willman, and Superintendent Bruce Hibbard.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 27

The Speaker handed down Senate Concurrent Resolution 27, sponsored by Representatives Bauer and DeVon:

A CONCURRENT RESOLUTION memorializing Father Theodore M. Hesburgh, University of Notre Dame's President Emeritus, for his unmatched commitment to the university and his substantial contributions to higher education, the Catholic Church, national and international affairs.

Whereas, Father Theodore M. Hesburgh served as the President of the University of Notre Dame from 1952-1987;

Whereas, The current president of the university, Reverend John I. Jenkins, explained that with Hesburgh's leadership, charisma, and vision, he turned a relatively small Catholic college known for football into one of the nation's great institutions for higher learning;

Whereas, In Father Hesburgh's historic service to the nation, the Church, and the world, he was a steadfast champion for human rights, the cause of peace, and care for the poor;

Whereas, Father Hesburgh's greatest influence was perhaps on the lives of generations of Notre Dame students, whom he taught, counseled, and befriended;

Whereas, Father Hesburgh was born May 25, 1917, in Syracuse, New York, the son of Anne Murphy Hesburgh and Theodore Bernard Hesburgh, an executive of the Pittsburgh Plate Glass Company;

Whereas, Educated at Notre Dame and the Gregorian University in Rome, Father Hesburgh received a bachelor of philosophy degree in 1939;

Whereas, Father Hesburgh was ordained a priest of the Congregation of Holy Cross in Sacred Heart Church on Notre Dame's Campus on June 24, 1943, by Fort Wayne Bishop John F. Knoll;

Whereas, Following his ordination, Father Hesburgh continued his study of sacred theology at the Catholic University of America in Washington, D.C., receiving his doctorate in 1945;

Whereas, That same year, Father Hesburgh joined the Notre Dame faculty and served as chaplain to World War II veterans on campus, in addition to his teaching duties in the Religion Department;

Whereas, Father Hesburgh was appointed as the head of the Religion Department in 1948, and the following year was appointed as executive vice president in the university administration of Reverend John J. Cavanaugh;

Whereas, In June 1952, at the age of thirty-five, Father Hesburgh became the fifteenth President of the University of Notre Dame;

Whereas, The two major changes during the Hesburgh era were the transference of governance in 1967 from the Congregation of Holy Cross to a two-tiered, mixed board of lay and religious trustees and fellows, in addition to the admission of women to the undergraduate program in 1972;

Whereas, Father Hesburgh played an active and influential role in national and international affairs during and after his presidency, holding sixteen presidential appointments over the years that involved him in virtually all major social issues, including civil rights, peaceful uses of atomic energy, campus unrest, treatment of Vietnam draft opponents, Third World development, and immigration reform;

Whereas, Justice was the focus of many of Father Hesburgh's off-campus activities: he was a charter member of the U.S. Commission on Civil Rights, created in 1957, and he chaired the commission from 1969-1972, at which time President Richard Nixon replaced him as chairman because of his criticism of the administrations's civil rights record;

Whereas, As a member of President Ford's Presidential Clemency Board, Father Hesburgh was one of the individuals tasked with deciding the fate of various groups of Vietnam War opponents;

Whereas, Father Hesburgh's work on these commissions led to the creation at Notre Dame Law School of the Center for Civil and Human Rights;

Whereas, In 1971, Father Hesburgh joined the board of the Overseas Development Council, a private organization supporting interests of the underdeveloped world, chaired it until 1982, and during this time led fund-raising efforts that averted mass starvation in Cambodia from 1979-1980;

Whereas, From 1979-1981 Father Hesburgh also chaired the Select Commission on Immigration and Refugee Policy, the recommendations of which became the basis of Congressional reform legislation five years later;

Whereas, In 1982, Father Hesburgh helped organize a meeting in Vatican City of fifty-eight world class scientists, from the East as well as the West, who called for the elimination of nuclear weapons, and subsequently brought together in Vienna, leaders of six faith traditions who endorsed the view of these scientists;

Whereas, Father Hesburgh's global perspective was the impetus for the establishment at Notre Dame of the Kellogg Institute for International Studies and the Kroc Institute for International Peace Studies;

Whereas, Father Hesburgh also served as a permanent Vatican City representative to the International Atomic Energy Agency in Vienna from 1956-1970;

Whereas, In 1972, at the request of Pope Paul VI, Father Hesburgh opened the Ecumenical Institute in Tantur, Jerusalem, which Notre Dame continues to operate;

Whereas, Pope Paul VI also appointed Father Hesburgh as head of the Vatican representatives attending the twentieth anniversary of the United Nations' human rights declaration in Tehran, Iran in 1968, and six years later as a member of the Holy See's U.N. delegation;

Whereas, In 1983, Father Hesburgh was appointed by Pope John Paul II to the Pontifical Council for Culture, charged with finding ways in which the saving message of the Gospel could be preached effectively in the world's vastly different cultures;

Whereas, On more than one occasion, Father Hesburgh was the first Catholic priest to serve in various positions, including his years as a director of the Chase Manhattan Bank, and as a trustee, and later chairman, of the Rockefeller Foundation;

Whereas, Father Hesburgh's appointment as ambassador to the 1979 U.N. Conference on Science and Technology for Development was the first time a priest had served in a formal diplomatic role for the U.S. government;

Whereas, Father Hesburgh's stature as an elder statesman in American higher education is reflected in his 150 honorary degrees, which is believed to be the most ever awarded to one person;

Whereas, In July 2000, Father Hesburgh's public service career was honored as he became the first individual from higher education to be awarded the Congressional Gold Medal, presented by President Bill Clinton;

Whereas, Father Hesburgh also received the nation's highest civilian honor, the Medal of Freedom, from President Lyndon B. Johnson in 1964;

Whereas, When Father Hesburgh stepped down as the University of Notre Dame's leader on June 1, 1987, it ended the longest tenure at that time among active presidents of American colleges and universities;

Whereas, After a year-long sabbatical, Father Hesburgh returned to a retirement office on the thirteenth floor of the newly named Hesburgh Library on Notre Dame's campus;

Whereas, One of Father Hesburgh's first projects after his return to Notre Dame was the completion of his autobiography, "God, Country, Notre Dame" which was published in November, 1990, and became a national best seller; and

Whereas, It is fitting that the Indiana General Assembly gives special recognition to Father Theodore M. Hesburgh for his invaluable gifts to Notre Dame, The State of Indiana, and our country: 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 memorializes Father Theodore M. Hesburgh, University of Notre Dame's President Emeritus, for his unmatched commitment to the university and his substantial contributions to higher education, the Catholic Church, national and international affairs.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Reverend John I. Jenkins, President of the University of Notre Dame.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 28

The Speaker handed down Senate Concurrent Resolution 28, sponsored by Representatives Bacon, Sullivan, Washburne and McNamara:

A CONCURRENT RESOLUTION recognizing Spirit Cheer of Evansville, Indiana, for the awareness it raises regarding the value of children with disabilities through the inspiration and joy its team members and coaches spread to others.

Whereas, Comprised of twenty-six special-needs girls, all between the ages of eight and eighteen, Spirit Cheer meets every fall to choreograph a dance and cheer routine for performances at community sporting events throughout the next six months;

Whereas, Spirit Cheer is led by sisters and head coaches Kendra Scheller and Karen Shields;

Whereas, Karen came up with the idea for Spirit Cheer in 2008 and with the help of several volunteer coaches, Kendra, Karen, and their sister Katie have found the time and resources to bring the squad back each fall;

Whereas, The squad practices for an hour each week, beginning in late September, and this season the girls are scheduled to perform nine times, more than ever before;

Whereas, Kendra began the squad's practices early this year in hopes of performing an exhibition for JAMfest, a national cheerleading competition held in Indianapolis which attracts as many as eighty cheerleading squads each year;

Whereas, Everything that keeps Spirit Cheer going, from the coaches' time to the girls' practice space, is dependent upon donations from those in the Evansville community;

Whereas, Cheer Zone in Evansville, Indiana, provides a practice facility for Spirit Cheer free of charge, which helps to keep participation in the program free for the girls and their parents; and

Whereas, It is fitting that the Indiana General Assembly gives special recognition to Spirit Cheer, its squad members, its coaches, and its community partners, for their continued commitment to improving the lives of special-needs children: 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 Spirit Cheer for the awareness it raises regarding the value of children with disabilities through the inspiration and joy its team members and coaches spread to others.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the Spirit Cheer squad and its head coaches Kendra Scheller and Karen Shields.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 32

The Speaker handed down Senate Concurrent Resolution 32, sponsored by Representatives Truitt, T. Brown and Klinker:

A CONCURRENT RESOLUTION recognizing the tremendous efforts of the Greater Lafayette Honor Flight program and its volunteers.

Whereas, The Greater Lafayette Honor Flight program is a proud member of the Honor Flight Network, a non-profit organization with 133 regional hubs created to provide free transportation to veterans so that they may visit the memorials that stand in their honor in Washington, D.C.;

Whereas, The hub's work commenced in October 2011, after Pamela Mow, State President of the Indiana Gold Star Mothers, an organization of mothers who have lost a son or daughter while on active duty, was looking for a meaningful venture to honor her son, Corporal Cody Putman, who was killed in Iraq on April 12, 2007;

Whereas, Fellow Lafayette Gold Star Mothers, Dana Vann and Marilyn Frantz, soon formed a Board of Directors with the support of Lafayette Mayor Tony Roswarski;

Whereas, Dana's son, Senior Airman John Morton, Jr., died while serving in the Air Force in Italy on September 3, 2002, and Marilyn's son, Specialist Matthew Frantz, was killed in Iraq on January 20, 2006;

Whereas, Less than one year after the Greater Lafayette Honor Flight's founding, 80 World War II veterans, their guardians, and the Greater Lafayette Honor Flight staff boarded the hub's inaugural flight on April 16, 2012;

Whereas, Knowing this service had to continue and grow, the Greater Lafayette Honor Flight program has since embarked on nine flights, transporting a total of 720 veterans;

Whereas, Three flights carrying 255 veterans have already been scheduled for 2015; and

Whereas, The Greater Lafayette Honor Flight's Board of Directors and its network of volunteers should be commended for their dedication and hard work, which makes the program's service of honoring Indiana's veterans a reality: 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 and thanks the Greater Lafayette Honor Flight program for its tremendous efforts in serving Indiana's veterans.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Greater Lafayette Honor Flight Founder, Co-President, and Gold Star Mother Pamela Mow; Co-President Mayor Tony Roswarski; Gold Star Mother Dana Vann; and Gold Star Mother Marilyn Frantz.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

House Concurrent Resolution 47

Representatives Hale, Macer, Judy, Kirchhofer and McNamara introduced House Concurrent Resolution 47:

A CONCURRENT RESOLUTION urging that the diagnostic label of Post-Traumatic Stress Disorder be changed to Post-Traumatic Stress Injury.

Whereas, The diagnosis now known as Post-Traumatic Stress Disorder (PTSD) was first defined to commonly and more accurately understand and treat veterans who had endured severe traumatic combat stress;

Whereas, Post-traumatic stress can result from any number of stressors other than combat, such as rape, sexual assault, battery, torture, confinement, child abuse, car accidents, train wrecks, plane crashes, bombings, or natural disaster, and affects about 7.7 million Americans;

Whereas, Post-traumatic stress can occur at any age, including childhood;

Whereas, Post-traumatic stress is characterized by numerous symptoms, including flashbacks, avoidance, hyper vigilance, nightmares, re-experiencing, anxiety, cognitive deficits, irritability, insomnia, fatigue, and thoughts of suicide;

Whereas, Due to these complications, those suffering often develop emotional numbness, leading to alienation and loss of interest in activities that were enjoyable in the past to them and their loved ones;

Whereas, Post-traumatic stress has previously been viewed as a mental illness caused by a pre-existing flaw in the individual's brain or character;

Whereas, Many still believe post-traumatic stress is a disorder which the injured is faced living with for the remainder of his or her life;

Whereas, In fact, post-traumatic stress is a very common injury to the brain that is treatable and repairable;

Whereas, The term "PTSD" carries a stigma of misconceptions that the injury is a disorder that is not repairable or treatable;

Whereas, Referring to this injury as a disorder perpetuates the stigma of and bias against mental illness;

Whereas, This stigma discourages those suffering from post-traumatic stress from seeking proper medical treatment;

Whereas, Service members, veterans, first responders, and victims of abuse, crime, and disaster, as well as members of their families, see that the negative associations of having a psychological disorder keep some individuals from seeking treatment;

Whereas, Making the condition less stigmatizing and more honorable can increase the percentage of those affected who voluntarily seek help; and

Whereas, Timely treatment can diminish suicide rates among all citizens, particularly our younger veterans: 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 agrees with those individuals and organizations urging that the diagnostic label of Post-Traumatic Stress Disorder be changed to Post-Traumatic Stress Injury.

SECTION 2. That the members of the Indiana General Assembly urge Governor Michael Pence to designate June 27, 2015, as "Indiana Post-Traumatic Stress Injury Awareness Day".

SECTION 3. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Governor Michael Pence.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Merritt and Arnold.

House Concurrent Resolution 48

Representatives Burton, Riecken, Arnold, Aylesworth, Bacon, Bartlett, Bauer, Behning, Beumer, Braun, Carbaugh, Clere, Cook, Cox, Culver, Davisson, Fine, Forestal, Friend, Frizzell, Frye, GiaQuinta, Goodin, Gutwein, Hale, Hamm, Harman, Harris, Huston, Judy, Karickhoff, Kirchhofer, Koch, Lehe, Mahan, Mayfield, McMillin, McNamara, Miller, Morrison, Niezgodski, Nisly, Ober, Pelath, Price, Rhoads, Richardson, Saunders, Schaibley, Smaltz, Soliday, Speedy, Steuerwald, Truitt, Ubelhor, VanNatter, Washburne, Wesco, Wright, Zent, Ziemke and Pierce introduced House Concurrent Resolution 48:

A CONCURRENT RESOLUTION requesting prayers and support for the men and women serving in the United States armed forces, especially those fighting the war on terrorism and other future conflicts that arise.

Whereas, The torch of true patriotism has been held high in the United States and in Indiana, supporting our country and its armed forces;

Whereas, There are 498,944 veterans in the state of Indiana who served in Flanders fields and the beaches of Normandy, on the frozen mountains of Korea to the steaming jungles of Vietnam, on the burning sands of the Kuwaiti and Iraqi deserts to the mountains in Afghanistan, and at the Pentagon on September 11, 2001;

Whereas, The Department of Veterans Affairs pays out \$1,092,855 a month to service-connected veterans with disabilities in Indiana;

Whereas, No American wants to see the loss of even one more life;

Whereas, Mindful of these sacrifices, Hoosier men and women fighting the war on terrorism have responded to their country's call without hesitation;

Whereas, The state of Indiana has had 617 military personnel who paid the price of freedom with their lives;

Whereas, These brave men and women are supported at home through prayers, sacrifices, and the love of their families and citizens that are left behind;

Whereas, All Hoosiers should remember these troops and their families in their thoughts and prayers;

Whereas, The Indiana General Assembly ardently supports those troops currently participating in the fight on terrorism;

Whereas, The nation and the state of Indiana will be forever indebted to those few who, in answering the call of duty, willingly gave so much for their country; and

Whereas, On behalf of the people of Indiana, the Indiana General Assembly pays special tribute to these men and women who paid the ultimate sacrifice with their lives and to their families and loved ones: 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 prays for the safe return of all of our troops stationed around the globe.

SECTION 2. That the Indiana General Assembly offers its gratitude and appreciation to the brave Hoosier men and women, veterans of the armed forces, and their families and friends who stand behind them.

SECTION 3. That the Indiana General Assembly and all Hoosiers offer their deepest sympathy to the families and friends of those who gave their lives in the service of their country.

SECTION 4. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the president of the United States, the United States Department of Defense, the presiding officers and the majority and minority leaders of both houses of Congress, the Indiana congressional delegation, the adjutant general of the Indiana National Guard and the Indiana Reserves, the commanding officers of Grissom Air Reserve Base, Donald D. Peek, Jr., and the families of the men and women who gave their lives.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Walker.

The House stood for a moment of silence in honor of those who gave their lives in the service of their country.

House Concurrent Resolution 49

Representatives Koch, Davisson and Klinker introduced

House Concurrent Resolution 49:

A CONCURRENT RESOLUTION commemorating the 50th anniversary of Virgil I. (Gus) Grissom's Gemini 3 Flight.

Whereas, Virgil I. "Gus" Grissom was born April 3, 1926, in Mitchell, Indiana;

Whereas, Gus Grissom graduated from Mitchell High School and received a bachelor of science degree in mechanical engineering from Purdue University;

Whereas, Gus Grissom received his pilot wings in March 1951 and flew 100 combat missions in Korea in F-86s with the 334th Fighter Interceptor Squadron and achieved the rank of lieutenant colonel in the United States Air Force;

Whereas, Gus Grissom, upon returning home from combat in 1952, became a jet instructor at Bryan, Texas, in August 1955, entered the Air Force Institute of Technology at Wright-Patterson Air Force Base in Ohio to study aeronautical engineering, attended the Test Pilot School at Edwards Air Force Base in California in October 1956, and returned to Wright-Patterson in May 1957 as a test pilot assigned to the fighter branch;

Whereas, In April 1959, Gus Grissom was selected by the newly formed National Aeronautics and Space Administration (NASA) as one of the seven original Mercury astronauts;

Whereas, Gus Grissom piloted the Liberty Bell 7 spacecraft on July 21, 1961, on the second and final suborbital Mercury test flight, which lasted 15 minutes and 37 seconds, attained an altitude of 118 statute miles, and traveled 302 miles downrange from the launch pad at Cape Canaveral;

Whereas, At the time of the Liberty Bell 7 flight, only two other humans had gone into space — Russian Yuri Gagarin and American Alan Shepard;

Whereas, On March 23, 1965, Gus Grissom served as command pilot on the first manned Gemini flight, Gemini 3, a three-orbit mission during which the crew accomplished the first orbital trajectory modifications and the first lifting reentry of a manned spacecraft, making him the first man to pilot a craft in space, demonstrating man's ability to navigate outer space;

Whereas, After his Gemini flight, Gus Grissom served as backup command pilot for Gemini 6 and was named to serve as command pilot for the Apollo 1 mission, the first manned mission of the Apollo lunar landing program;

Whereas, Gus Grissom, Ed White, and Roger Chaffee died tragically on January 27, 1967, in the Apollo spacecraft flash fire during a launch pad test at Cape Kennedy in Florida; and

Whereas, For his bravery and dedication to duty and his country, Gus Grissom was awarded the Distinguished Flying Cross and the Air Medal with cluster for his Korean service, two NASA Distinguished Service medals and the NASA Exceptional Service Medal, and the Air Force Command Astronaut Wings, and was posthumously awarded the Congressional Space Medal of Honor: 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 remembers Virgil I. (Gus) Grissom on the occasion of the 50th anniversary of the Gemini 3 flight and recognizes that he was truly a great American hero who represented the state of Indiana with integrity, grace, and honor.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the family of Virgil I. (Gus) Grissom.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Steele.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, March 24, 2015, at 1:30 p.m.

LEONARD

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 123, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 21-31-2-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 14. (a) The general assembly recognizes that:**

- (1) Article 11, Section 12 of the Constitution of the State of Indiana provides that the state may not become a stockholder in any corporation;**
- (2) state educational institutions receive a majority of their funding from sources that are not public sources; and**
- (3) certain state educational institutions can better achieve their public purposes by holding equity in private entities that the institution controls and actively manages.**

The general assembly declares that the holding of equity in a private entity by a state educational institution as permitted by this section complies with Article 11, Section 12 of the Constitution of the State of Indiana.

(b) This section applies only to a state educational institution.

(c) As used in this section, "eligible property" means any property received by the board of trustees of a state educational institution, other than:

- (1) state appropriations; or**
- (2) other public money received through another state educational institution, a state agency, or a local government entity.**

(d) The board of trustees of a state educational institution may use eligible property to directly hold equity in a private entity if:

- (1) in the judgment of the board of trustees, it is for the best interest of the state educational institution;**
- (2) it results in a public or charitable purpose for the benefit or use of students of the state educational institution;**
- (3) the private entity is controlled by and actively managed by the state educational institution; and**
- (4) the equity is not held for speculation."**

Page 2, after line 19, begin a new paragraph and insert:

"SECTION 4. IC 23-17-19-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 2. (a)** Without the prior approval of the circuit court or superior court of the county where the corporation's principal office or, if the principal office is not located in Indiana, the corporation's registered office, is located in a proceeding that the attorney general has been given written notice, a public benefit or religious corporation may only merge with the following:

- (1) A public benefit or religious corporation.**
- (2) A foreign corporation that would qualify under this article as a public benefit or religious corporation.**

(3) A wholly-owned foreign or domestic business or mutual benefit corporation if the public benefit or religious corporation is the surviving corporation and continues to be a public benefit or religious corporation after the merger.

(4) A business or mutual benefit corporation if the following conditions are met:

(A) On or before the effective date of the merger, assets with a value equal to the greater of the fair market value of the net tangible and intangible assets, including goodwill, of the public benefit corporation or the fair market value of the public benefit corporation if the corporation were to be operated as a business concern are transferred or conveyed to a person who would have received the corporation's assets under IC 23-17-22-6(a)(5) and IC 23-17-22-6(a)(6) had the corporation dissolved.

(B) The business or mutual benefit corporation returns, transfers, or conveys any assets held by the business or mutual benefit corporation upon condition requiring return, transfer, or conveyance, that occurs by reason of the merger, in accordance with the condition.

(C) The merger is approved by a majority of directors of the public benefit or religious corporation who are not and will not become:

- (i) members in;**
- (ii) shareholders in; or**
- (iii) officers, employees, agents, or consultants of; the surviving corporation.**

(D) The requirements of section 8 of this chapter are met.

(5) A state educational institution if it is a public benefit corporation and the public benefit corporation is controlled by the state educational institution before the merger.

(b) At least twenty (20) days before consummation of any merger of a public benefit corporation or a religious corporation under subsection (a)(4), notice, including a copy of the proposed plan of merger, must be delivered to the attorney general.

(c) Without the prior written consent of the attorney general or of the circuit court or superior court of the county where:

- (1) the corporation's principal office is located; or**
- (2) if the principal office is not located in Indiana, the corporation's registered office is located;**

in a proceeding in which the attorney general has been given notice, a member of a public benefit or religious corporation may not receive or keep anything as a result of a merger other than a membership or membership in the surviving public benefit or religious corporation. The court shall approve the transaction if the transaction is in the public interest."

Renumber all SECTIONS consecutively.

(Reference is to SB 123 as printed January 23, 2015.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

CLERE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred Senate Bill 473, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 473 as printed January 28, 2015.)

Committee Vote: Yeas 10, Nays 0.

EBERHART, Chair

Report adopted.

Representatives Summers and Speedy, who had been excused, are now present

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 101

Representative Wesco called down Engrossed Senate Bill 101 for third reading:

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

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

Roll Call 305: yeas 63, nays 31. 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 Clerk was directed to inform the Senate of the passage of the bill.

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Friend.

Engrossed Senate Bill 193

Representative Lawson called down Engrossed Senate Bill 193 for third reading:

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

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

Roll Call 306: yeas 93, 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 Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 216

Representative Zent called down Engrossed Senate Bill 216 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

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

Roll Call 307: yeas 92, 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 Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 249

Representative Lehe called down Engrossed Senate Bill 249 for third reading:

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

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

Roll Call 308: yeas 89, nays 3. 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 Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 265

Representative Cox called down Engrossed Senate Bill 265 for third reading:

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

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 309: yeas 93, 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 Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 315

Representative Cherry called down Engrossed Senate Bill 315 for third reading:

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

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

Roll Call 310: yeas 92, 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 Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 383

Representative VanNatter called down Engrossed Senate Bill 383 for third reading:

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

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

Roll Call 311: yeas 92, 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 Clerk was directed to inform the Senate of the passage of the bill.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 4:35 p.m. with the Speaker pro Tempore in the Chair.

Upon request of Representative GiaQuinta, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 312: 70 present. The Speaker declared a quorum present.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 361, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 1, delete "IC 34-31-11" and insert "IC 34-31-11.2".

Page 1, line 4, delete "11." and insert "11.2".

Page 1, line 9, delete "unreasonably alters,".

Page 1, line 9, delete "or repairs:" and insert "**repairs, or materially alters:**".

Page 2, delete lines 20 through 24.

(Reference is to SB 361 as reprinted February 6, 2015.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 487, has had the same under consideration

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

(Reference is to SB 487 as printed February 3, 2015.)
Committee Vote: Yeas 11, Nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 217, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 217 as printed January 16, 2015.)
Committee Vote: Yeas 11, Nays 0.

STEUERWALD, Chair

Report adopted.

**ENGROSSED SENATE BILLS
ON SECOND READING**

Engrossed Senate Bill 35

Representative Schaibley called down Engrossed Senate Bill 35 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 35-1)

Mr. Speaker: I move that Engrossed Senate Bill 35 be amended to read as follows:

- Page 2, strike line 33.
- Page 2, line 34, strike "(4)" and insert "(3)".
- Page 3, line 3, strike "(5)" and insert "(4)".
- Page 3, strike line 25.
- Page 3, line 26, strike "(4)" and insert "(3)".
- Page 3, line 30, after "limit" insert ",".
- Page 3, line 31, after "(ii)" insert "(B)".
- Page 3, line 32, delete "zone;" and insert "zone."
- Page 3, line 32, strike "and".
- Page 3, line 33, strike "(B)".
- Page 3, line 33, strike "if the school operates on a twelve (12)".
- Page 3, line 34, strike "month schedule,".
- Page 3, line 34, strike "a sign indicating that the school".
- Page 3, strike line 35, begin a new paragraph and insert:
"SECTION 2. IC 9-21-5-13, AS AMENDED BY P.L.231-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 13. (a) Except as provided in subsections (b) and (c), a person who violates this chapter commits a Class C infraction.
- (b) A person who exceeds a speed limit that is:
 - (1) established under section 6 of this chapter and imposed only in the immediate vicinity of a school; ~~when children are present;~~ or
 - (2) established under section 11 of this chapter and imposed only in the immediate vicinity of a worksite when workers are present;
 commits a Class B infraction.
- (c) A person who while operating a school bus knowingly or intentionally exceeds a speed limit set forth in section 14 of this chapter commits a Class C misdemeanor."

(Reference is to ESB 35 as printed March 20, 2015.)

THOMPSON

Motion withdrawn. The bill was ordered engrossed.

Engrossed Senate Bill 94

Representative Cherry called down Engrossed Senate Bill 94 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 94-1)

Mr. Speaker: I move that Engrossed Senate Bill 94 be amended to read as follows:

- Page 4, line 6, delete "or".
- Page 4, line 7, after "(2)" insert "**the state first becomes aware of the existence of a recording (as defined in IC 35-31.5-2-273) that provides evidence sufficient to charge the offender with the offense; or**
- (3)".**

(Reference is to ESB 94 as printed March 20, 2015.)

HALE

Upon request of Representatives Mahan and Gutwein, the Speaker ordered the roll of the House to be called. Roll Call 313: yeas 92, nays 0. Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 318

Representative Truitt called down Engrossed Senate Bill 318 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 336

Representative Cherry called down Engrossed Senate Bill 336 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 412

Representative Koch called down Engrossed Senate Bill 412 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 412-3)

Mr. Speaker: I move that Engrossed Senate Bill 412 be amended to read as follows:

- Page 11, line 30, delete "Reasonable" and insert "**Subject to subsection (r), reasonable**".

Page 12, between lines 13 and 14, begin a new paragraph and insert:

"(r) An electricity supplier may not recover reasonable lost revenues under subsection (o)(2) in any customer billing cycle that begins more than thirty-six (36) months after the initial customer billing cycle for which the electricity supplier first recovers the reasonable lost revenues approved by the commission under subsection (o)(2). However, in the commission's order approving the recovery of the reasonable lost revenues under subsection (o)(2), the commission may specify a shorter period for the recovery of the reasonable lost revenues. In adopting the rules or guidelines described in subsection (q), the commission shall include any rules or guidelines necessary to implement this subsection."

(Reference is to ESB 412 as printed March 20, 2015.)

PIERCE

Upon request of Representatives Pelath and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 314: yeas 26, nays 67. Motion failed.

The Speaker Pro Tempore yielded the gavel to the Speaker.

HOUSE MOTION
(Amendment 412-5)

Mr. Speaker: I move that Engrossed Senate Bill 412 be amended to read as follows:

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

"SECTION 1. IC 8-1-8.5-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 0.5. The**

general assembly finds that ninety-seven percent (97%) of climate scientists agree that climate warming trends over the past century are very likely due to human activities."

Renumber all SECTIONS consecutively.
(Reference is to ESB 412 as printed March 20, 2015.)

FORESTAL

Representative Torr rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We appeal the ruling of the Chair that Representative Forestal's amendment, Engrossed Senate Bill 412-5, violates Rule 80. The amendment addresses climate change and is germane to the bill's subject matter of energy efficiency.

FORESTAL
PIERCE

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Friend.

The question was, Shall the ruling of the Chair be sustained? Roll Call 315: yeas 67, nays 23. The ruling of the Chair was sustained.

There being no further amendments the bill was ordered engrossed.

Engrossed Senate Bill 429

Representative Slager called down Engrossed Senate Bill 429 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 433

Representative Lucas called down Engrossed Senate Bill 433 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 506

Representative Soliday called down Engrossed Senate Bill 506 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 532

Representative McNamara called down Engrossed Senate Bill 532 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 534

Representative Davisson called down Engrossed Senate Bill 534 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 546

Representative Negele called down Engrossed Senate Bill 546 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 313

Representative Kirchhofer called down Engrossed Senate Bill 313 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

The Speaker Pro Tempore yielded the gavel to the Speaker.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bills 473 and 217 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representative Niezgodski be added as cosponsor of Engrossed Senate Bill 80.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representatives Lucas and Rhoads be added as cosponsors of Engrossed Senate Bill 101.

WESCO

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bacon be added as cosponsor of Engrossed Senate Bill 123.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Wright be added as cosponsor of Engrossed Senate Bill 249.

LEHE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bartlett be added as cosponsor of Engrossed Senate Bill 265.

COX

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives V. Smith and Pryor be added as cosponsors of Engrossed Senate Bill 318.

TRUITT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative C. Brown be added as cosponsor of Engrossed Senate Bill 383.

VANNATTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representatives Macer and C. Brown be added as cosponsors of Engrossed Senate Bill 406.

MCMILLIN

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representatives Nisly, VanNatter, Goodin and Stemler be added as cosponsors of Engrossed Senate Bill 433.

LUCAS

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Kersey be added as cosponsor of Engrossed Senate Bill 473

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hamm be added as cosponsor of Engrossed Senate Bill 447.

WASHBURNE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives C. Brown, Sullivan and Pryor be added as cosponsors of Engrossed Senate Bill 506.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as cosponsor of Engrossed Senate Bill 551.

FRIZZELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as cosponsor of Engrossed Senate Bill 556.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Concurrent Resolution 46.

SAUNDERS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as coauthor of House Concurrent Resolution 47.

HALE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Baird, Bosma, Austin and Macer be added as coauthors of House Concurrent Resolution 48.

BURTON

Motion prevailed.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed Senate Enrolled Acts 62 on February 23.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1141 and 1549 on March 12.

The Speaker announced that he had signed House Enrolled Acts 1065 on March 19.

The Speaker announced that he had signed House Enrolled Acts 1017, 1021, 1025, 1042, 1046, 1053, 1131, 1142, 1164, 1184, 1185, 1208, 1216, 1263, 1283, 1362, 1454, 1501, 1539 and 1617 on March 23.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1138 and 1182 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 46 and 48 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Beumer, the House adjourned at 5:24 p.m., this twenty-third day of March, 2015, until Tuesday, March 24, 2015, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives