



Journal of the Senate

State of Indiana

118th General Assembly

Second Regular Session

Twenty-fifth Meeting Day

Thursday Afternoon

February 27, 2014

The Senate convened at 1:39 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Pastor Kirby Myers.

The Pledge of Allegiance to the Flag was led by the President of the Senate.

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

Alting	Merritt
Arnold	Miller, Patricia
Banks	Miller, Pete
Becker	Mishler
Boots	Mrvan
Bray	Nugent
Breaux	Paul
Broden	Randolph
Buck	Rogers
Charbonneau	Schneider
Crider	Skinner
Delph	Smith
Eckerty	Steele
Glick	Stoops
Grooms	Tallian
Head	Taylor
Hershman	Tomes
Holdman	Walker
Hume	Waltz
Kenley	Waterman
Kruse	Wyss
Lanane	Yoder
Landske <input type="checkbox"/>	Young, M.
Leising	Young, R.
Long	Zakas

Roll Call 248: present 49; excused 1. [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 55

Senate Resolution 55, introduced by Senator Steele:

A SENATE RESOLUTION urging the Legislative Council to assign the topic of nonparty immunity to an appropriate study committee.

Whereas, The nonparty defense has been the subject of much

discussion and concern in the State of Indiana; and

Whereas, It is appropriate to further study the effects of the nonparty defense: Therefore,

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

SECTION 1. That the Indiana Senate urges the Legislative Council to assign to the Commission on Courts or another appropriate study committee the task of studying the nonparty defense, with particular emphasis on whether a defendant should be permitted to assert a nonparty defense if an Indiana statute grants the nonparty immunity from liability.

SECTION 2. That if the Commission on Courts or another appropriate committee is assigned the topic described in Section 1, the Commission or committee shall issue to the Legislative Council a final report containing the Commission's or committee's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6 not later than November 1, 2014.

SECTION 3. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Legislative Council.

The resolution was read in full and referred to the Committee on Judiciary.

House Concurrent Resolution 23

House Concurrent Resolution 23, sponsored by Senator Wyss:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename a part of U.S. Highway 31 between Main Street and East Street in the city of Austin as "Berley Goodin Way".

Whereas, Berley Goodin has dedicated his life to the children of southeastern Indiana and Scott County School District 1;

Whereas, Berley Goodin has worked tirelessly to ensure that all children are given the chance to have an outstanding education and become productive citizens of our state and our nation;

Whereas, Recognized for his many accomplishments, Berley Goodin has received the Charles F. Maas Distinguished Service Award for District 5 presented by the Indiana Interscholastic Athletic Administrators Association; has been named District 8 Superintendent of the year twice; was named a Kentucky Colonel by the Governor of Kentucky; and was named the Outstanding Alumnus of Austin High School;

Whereas, Active outside the schoolroom, Berley Goodin has served as secretary of the Mid Southern Conference for 36 years and is a member of the Scott County Partnership Committee, the Indiana Association of School Business Officials, the Prosser School of Technology Advisory Board, the Southeastern Indiana School Study Council, the Madison Area Special Services Governing Board, the Scott County Chamber of Commerce, the Austin Rural Enterprise Governing Board, Scott County Leadership, the Youth Development Committee, and the Scott County Public Library Board; and

Whereas, It is fitting that we recognize the contributions of Berley Goodin to Indiana public education: 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 thanks Mr. Berley Goodin for his years of dedicated service to the children of southeastern Indiana and recognizes his many accomplishments by renaming a part of U.S. Highway 31 between Main Street and East Street in the city of Austin as "Berley Goodin Way".

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Berley Goodin and his family and the commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security, Transportation and Veterans Affairs.

House Concurrent Resolution 26

House Concurrent Resolution 26, sponsored by Senator Becker:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename two bridges over U.S. Highway 50 in Daviess County after David Graham and James Newland.

Whereas, The creation of a highway connecting Evansville to Indianapolis required years of hard work by dedicated people;

Whereas, Two of these people are David Graham and James Newland;

Whereas, David Graham was born in February 1927 into a southern Indiana family with strong ties to the automobile industry and family farming;

Whereas, David Graham spent his working life on his farm and as a banker and political organizer;

Whereas, After retiring in his sixties, David Graham became involved in the Southwestern Indiana Regional Highway Coalition (SWIRHC) to build a road connecting Evansville and Indianapolis;

Whereas, After a study determined that the project was not economically feasible, David Graham began to look elsewhere for support;

Whereas, With the help of John D. Caruthers of Shreveport, Louisiana, the Mid-Continent Highway Coalition came to be;

Whereas, At the time of the creation of the Mid-Continent Highway Coalition, James Newland was running the SWIRHC;

Whereas, David Graham recruited James Newland to join the Mid-Continent Highway Coalition where he worked tirelessly for more than a decade advocating, both in Indiana and on a national scale, for the highway; and

Whereas, These two dedicated Hoosiers worked tirelessly for many years trying to improve the lives of Hoosiers by creating a safer, quicker route to Indianapolis: 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 recognizes the dedication of David Graham and James Newland in securing a highway connecting Evansville to Indianapolis by urging the Indiana Department of Transportation to rename two bridges over U.S. Highway 50 in Daviess County east of Washington (I69-14-09515 SB and I69-14-09525 NB) after David Graham and James Newland.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the families of David Graham and James Newland.

The resolution was read in full and referred to the Committee on Homeland Security, Transportation and Veterans Affairs.

House Concurrent Resolution 31

House Concurrent Resolution 31, sponsored by Senator Waltz:

A CONCURRENT RESOLUTION supporting Taiwan's efforts to secure entry to the Trans-Pacific Partnership (TPP) and the signing of a Free Trade Agreement (FTA) and Bilateral Investment Agreement (BIA) with the United States and reaffirming support for increasing Taiwan's international profile and for strengthening and expanding sister-state ties between Indiana and Taiwan.

Whereas, The Republic of China (Taiwan) and the United States, in particular the state of Indiana, share a sister-state relationship marked by strong bilateral trade, educational and cultural exchange, and tourism;

Whereas, Taiwan shares with the United States and Indiana the common values of freedom, democracy, human rights, and the rule of law;

Whereas, The United States ranks as Taiwan's third largest trading partner while Taiwan is the eleventh largest trading partner of the United States with bilateral trade reaching \$63,000,000,000 in 2012;

Whereas, Taiwan and Indiana have enjoyed a long and mutually beneficial relationship with the prospect of future growth;

Whereas, Taiwan was Indiana's 8th largest export market in Asia in 2012 with \$235,600,000 worth of Indiana goods exported to Taiwan, which is 9 percent growth over 2011;

Whereas, Negotiations for a Bilateral Investment Agreement (BIA) between Taiwan and the United States are an important step toward further strengthening bilateral trade and paving the way for entering into a Free Trade Agreement between our countries, thereby increasing Indiana's exports to Taiwan and creating bilateral investment and technical collaboration through tariff reduction and other trade facilitation measures; and

Whereas, Taiwan, seeking greater regional integration in the Asia-Pacific region and promotion of bilateral investment and trade relations with the United States, welcomes the opportunity presented by the United States announcement at the 2011 APEC Economic Leaders' Meeting of the United States' intent not only to join the Trans-Pacific Partnership (TPP), the proposed 21st century trade agreement between the United States and 11 other Asia-Pacific Rim countries, but to expand TPP membership in the future to include other countries such as Taiwan: 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 reaffirms its commitment to the strong and deepening sister-state relationship between Taiwan and the State of Indiana.

SECTION 2. That the Indiana General Assembly supports Taiwan's efforts to secure entry to the Trans-Pacific Partnership (TPP), welcome the signing of the Bilateral Investment Agreement (BIA) and Free Trade Agreement (FTA) with the United States.

SECTION 3. That the Indiana General Assembly supports Taiwan's appropriate participation in international organizations which impact the health, safety, and well-being of Taiwan.

SECTION 4. That the Principal Clerk of the House of Representatives transmit copies of this resolution to the members of the Indiana Congressional delegation, and the Taipei Economic and Cultural Office in Chicago, Illinois.

The resolution was read in full and referred to the Committee on Commerce, Economic Development and Technology.

Senate Concurrent Resolution 35

Senate Concurrent Resolution 35, introduced by Senators

Hershman and Paul:

A CONCURRENT RESOLUTION urging the Legislative Council to assign to a study committee the topic of veterans benefits.

Whereas, The Indiana Department of Veterans Affairs (IDVA) is committed to ensuring Hoosier veterans, guardsmen, and qualified family members or survivors who are eligible for benefits, receive the maximum benefits allowed;

Whereas, Current national rankings place Indiana near the bottom in most every critical category concerning veterans affairs, including 48th in total expenditures, compensation, and pension, 47th in educational rehabilitation, and 39th for medical care delivery per veteran;

Whereas, The primary drivers of the numbers of veterans receiving compensation are certified application rate, beneficiary population composition, and adjudication process follow through to include any requests for additional information from the Department of Veterans Affairs (VA);

Whereas, The average award level for similar disabilities varies across the states, and is most likely due to policies and levels of training at VA regional offices. The number of beneficiaries with maximum awards also drives variation across the states;

Whereas, States that present fully developed and complete files to the VA and follow through to the adjudication process are more successful;

Whereas, A key to maximizing use of the VA's emerging digital technologies is to eliminate Indiana's use of paper in the application process to access VA benefits. Indiana is one of the few states that do not have an information technology (IT) system that is bi-directional with the Veterans Benefits Administration (VBA); and

Whereas, Indiana must transform its application process to eliminate these significant disadvantages in how the IDVA develops, presents, and follows up on applications: 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 Legislative Council is urged to assign to a study committee the topic of veterans benefits.

SECTION 2. That the committee, if the topic is assigned to it, shall be charged with studying areas including, but not limited to, the following:

(a) How transforming Indiana's veterans benefits services can increase those benefits to veterans and beneficiaries in compensation and pensions, education, medical care, and other areas.

(b) How Indiana compares to other states in each component of benefits, as reported annually by the Veterans Benefits Administration (VBA), including, but not limited to:

- (1) Total expenditures, compensation, and pensions;
- (2) Education; and
- (3) Medical and related care.

(c) How Indiana's structure of assisting beneficiaries in obtaining benefits and tools may be restructured. Specifically, the following areas shall be reviewed:

- (1) Management, organization, staffing, and information technology;
- (2) Education;
- (3) Employment;
- (4) Compensation, pension, and other benefits; and
- (5) Health care education and delivery.

SECTION 3. That the committee, if the topic is assigned to it, shall operate under the direction of the Legislative Council, and shall issue a final report when directed to do so by the Council.

SECTION 4. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Legislative Council.

The resolution was read in full and referred to the Committee on Homeland Security, Transportation and Veterans Affairs.

Senate Concurrent Resolution 33

Senate Concurrent Resolution 33, introduced by Senator Hume:

A CONCURRENT RESOLUTION congratulating the South Spencer High School baseball team.

Whereas, Unranked South Spencer High School outscored number one ranked Northfield High School 3-2 to win the 47th Annual Indiana High School Athletic Association Class 2A Baseball State Championship at Victory Field on June 15, 2013;

Whereas, This victory marked the second state championship in three years and the third 2A title overall for the Spencer High School Rebels;

Whereas, The Rebels scored one run in the second inning and two in the fifth on their way to the championship;

Whereas, Winning pitcher Brandon Lehr (10-4) pitched the entire game and allowed only four hits;

Whereas, Junior outfielder Malin Webb scored the first run in the top of the second inning on a single by senior Charleston Roberts;

Whereas, South Spencer (23-8) scored two more runs in the fifth inning when Tyler Schneider and Taylor Market scored on a single to left field by Ryan Duvall; and

Whereas, Outstanding athletic accomplishments such as this

deserve special recognition: 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 the South Spencer High School baseball team on its Class 2A state championship title and wishes the players continued success both on and off the baseball field.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to all team members, student manager Ben Huff, assistant coaches Mike Ogilvie, Mitch Rust, Shawn Kuester, Chris Bartlett, and J.C. Davis, head coach Brian Kuester, athletic director Bruce Green, principal Angela Gladish, and superintendent Candis Haskell.

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 Bacon, Arnold, and Messmer.

SENATE MOTION

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

- HCR 34 Senator Walker
Honoring the Columbus East High School football team.
- HCR 45 Senator Zakas
Honoring Trinity School of Greenlawn.
- HCR 46 Senator Wyss
Recognizing Easter Seals Arc.
- HCR 47 Senator Mishler
Acknowledging the many contributions of Cardinal Services.
- HCR 48 Senator Buck
Recognizing the Bona Vista Programs, Inc.
- HCR 50 Senator Taylor
Honoring Judge Robert Wilkins.
- SCR 34 Senator Lanane
Acknowledging February as Teen Dating Violence Awareness and Prevention Month.
- SCR 36 Senator Paul
Recognizing and congratulating the town of Centerville, Indiana on the occasion of its bicentennial anniversary.
- SR 54 Senator Becker
Recognizing the pervasiveness of Chronic Obstructive Pulmonary Disease and urging the Indiana State Department of Health to classify it as a "chronic disease" in Indiana.
- SR 56 Senator Glick
Congratulating Angola Moose Lodge on its 100th Anniversary.
- SR 57 Senator Broden
Honoring Derek D. Dieter for his 39 years of

exemplary service on the South Bend Police Department.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 34

House Concurrent Resolution 34, sponsored by Senator Walker:

A CONCURRENT RESOLUTION honoring the Columbus East High School football team.

Whereas, The Columbus East High School Olympians are the 2013-2014 Class 4A state football champions in their first appearance in a state finals game since their 1979 team went 13-0 and won the Class 3A title;

Whereas, Columbus East defeated Fort Wayne Bishop Dwenger 28-27 in a hard-fought, tension-filled game at Lucas Oil Stadium;

Whereas, In a game full of wild momentum swings, the Olympians led 21-0 in the first half, but saw Bishop Dwenger take the lead with 27 unanswered points in the second half;

Whereas, With their backs against the wall, Columbus East refused to succumb to defeat;

Whereas, Markell Jones led the team on a 14-play, 73-yard touchdown march ending when quarterback Alex Cowan burst in from the 1-yard line to score the tying touchdown;

Whereas, Paul Baker booted the winning extra point with 3:42 remaining in the game;

Whereas, However the excitement wasn't over yet;

Whereas, After receiving the kickoff, Bishop Dwenger pushed to midfield, but on third down they fumbled and Columbus East recovered;

Whereas, A strip-sack by Brock Patterson and the fumble recovery by Tyler Campbell were the big defensive plays for Columbus East;

Whereas, Ranked number one in both the state coaches poll and the Associated Press poll, Columbus East completed the year with a perfect 15-0 record;

Whereas, The Indiana High School Athletic Association Executive Committee named senior offensive lineman Seth Frownfelter as the winner of the Phil N. Eskew Mental Attitude Award in Class 4A football;

Whereas, Seth, a three-year letter winner and captain of the varsity football team, ranks in the top ten percent of his class, is a member of the National Honor Society and the Spanish Honor Society, and has earned an AP Scholar Award; and

Whereas, Athletic accomplishments such as these 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 Columbus East High School football team on its Class 4A state championship victory and wishes team members continued success in all their future endeavors both on and off the football field.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to all team members, head coach Bob Gaddis, assistant coaches, team managers, principal Mark Newell, and superintendent Dr. John B. Quick.

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 Zakas:

A CONCURRENT RESOLUTION honoring Trinity School at Greenlawn.

Whereas, On Tuesday, September 24, 2013, Trinity School at Greenlawn was named by United States Secretary of Education Arne Duncan as a 2013 National Blue Ribbon School;

Whereas, The Blue Ribbon School Award gives national recognition to a diverse group of public and private schools that are unusually effective in meeting local, state, and national goals and in educating their students;

Whereas, The program is made up of the Elementary School Recognition Program and the Secondary School Recognition Program, recognizing elementary and secondary schools in alternate years;

Whereas, Founded in 1981 by Michiana parents, Trinity School at Greenlawn is the only school in Indiana, and one of only nine schools in the nation, to win four Blue Ribbon School Awards;

Whereas, Trinity School at Greenlawn was one of only 50 private schools in the country to be selected as winners of the

2013 award;

Whereas, To qualify for this year's award, Trinity School at Greenlawn students were required to score in the top 15 percent nationally on the SAT;

Whereas, The students of Trinity School at Greenlawn are high achievers, with the average SAT score being 250-400 points higher than the national average;

Whereas, Trinity School's curriculum, focused on humanities, sciences, and fine arts, has been adopted by over a dozen private and charter school nationwide;

Whereas, The Blue Ribbon School Award shines the public spotlight on these very special schools, giving them the recognition they so richly deserve; and

Whereas, The people of the state of Indiana applaud Trinity School at Greenlawn in its pursuit of excellence in education and encourage future endeavors: 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 Trinity School at Greenlawn on being selected as one of Indiana's Blue Ribbon Schools for the fourth time and urges this outstanding school to continue reaching for the stars.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Head of School John Lee and President Dr. Kerry Koller.

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 46

House Concurrent Resolution 46, sponsored by Senators Wyss and Long:

A CONCURRENT RESOLUTION recognizing Easter Seals Arc.

Whereas, In 1954, a dedicated group of Allen County parents formed the "Retarded Children's Society of Allen County" to promote the general welfare of the mentally retarded of Allen County and to develop and provide methods and means of education to the mentally retarded;

Whereas, In 1968, the agency's name changed from "Retarded Children's Society of Allen County" to the "Allen County Association for the Retarded, Inc.";

Whereas, In 1972, the first group home in the state of Indiana was built and used as a training home for adults preparing to live independently;

Whereas, In 1982, the agency's name changed from "Allen County Association for the Retarded, Inc." to "Association for Retarded Citizens of Allen County, Inc.";

Whereas, In 1989, the association started the first statewide self-advocacy organization;

Whereas, In 1994, the agency's name changed from "Association for Retarded Citizens of Allen County, Inc." to "The Arc of Northeast Indiana, Inc.";

Whereas, In 2000, The Arc of Northeast Indiana, Inc., affiliated with Easter Seals to become "Easter Seals Arc of Northeast Indiana", expanding not only its geographic service area, but also extending service provisions to include people with any disability;

Whereas, Easter Seals Arc provides a wide variety of person-centered programs designed to include a wide variety of activities that enhance the participants' personal and social lives;

Whereas, Easter Seals Arc helps clients obtain and maintain community-based employment through career explorations, job readiness, soft skills training, job development, follow along services, and individual job coaching;

Whereas, Easter Seals Arc offers both "sheltered" and "competitive" work opportunities in a safe and structured environment while providing a valuable service to the business community and providing every client with direct care staff to help clients achieve their goals;

Whereas, Through Easter Seals Arc's Supported Living Services, people with disabilities can learn to actively participate in the community and live more independently;

Whereas, Easter Seals Arc, from its simple beginning of six students, has expanded its services to serve more than 1,000 children, adults, and families annually; and

Whereas, Easter Seals Arc has spent the past 60 years consistently creating opportunities for people with disabilities to live meaningful lives and looks forward to filling the next 60 years with even greater opportunities: 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 recognizes the contributions of Easter Seals Arc in enabling people with disabilities to live meaningful lives.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Easter Seals Arc.

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 47

House Concurrent Resolution 47, sponsored by Senator Mishler:

A CONCURRENT RESOLUTION acknowledging the many contributions of Cardinal Services.

Whereas, Before the 1950's, individuals with disabilities were shunned from society, either institutionalized or hidden at home;

Whereas, A group of families who came together in 1954 with a goal of providing an education for their children with disabilities began providing services in a family home;

Whereas, In 1963, the name Cardinal Center was chosen; Cardinal meaning "of primary importance";

Whereas, In 1964, Cardinal opened a sheltered workshop for adults with developmental disabilities, demonstrating that these adults had many talents to contribute to the business community and that they could play a valuable role in our workforce;

Whereas, In 1969, an educational wing was constructed with state and local funds;

Whereas, Cardinal was designated as a comprehensive mental health center, and early intervention classes for children with developmental delays began;

Whereas, In 1976, Cardinal launched job placement and vocational evaluation services for people with disabilities, enabling them to become contributing, valued employees in businesses in northern Indiana;

Whereas, Cardinal has since expanded its array of services to meet the changing needs of our community, offering residential group home, community living residential, affordable housing, and day services to adults with disabilities and First Steps, Healthy Families, Head Start, and WIC services to children from birth to age five;

Whereas, From its simple beginning in a family home, Cardinal has expanded its services to serve approximately 4,000

children and adults and families annually from the Northern Indiana counties of Cass, Elkhart, Fulton, Kosciusko, and Marshall; and

Whereas, Cardinal has spent the past 60 years creating opportunities for people with disabilities and young children with challenges to live meaningful lives and looks forward to the next 60 years filled with even greater opportunities: 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 recognizes the many contributions made by Cardinal Services and thanks the agency for its years of devotion to those in need of services.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Cardinal Services.

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 48

House Concurrent Resolution 48, sponsored by Senator Buck:

A CONCURRENT RESOLUTION recognizing the Bona Vista Programs, Inc.

Whereas, Community-based organizations are the gateway to families who are seeking support and services for a child or adult with disabilities; Bona Vista Programs, Inc., is the vehicle for families to find appropriate, individually-based services that meet the needs of each child and adult;

Whereas, Since 1958 Bona Vista Programs has provided services to those with disabilities in our community to help them realize their fullest potential;

Whereas, The Bona Vista School was founded at a downtown Kokomo location by a group of parents who joined together because they needed educational services for their children with disabilities;

Whereas, Since the needs of those served are ever-changing and growing, Bona Vista Programs built its main location in 1965 and has continued to provide early childhood and administrative services at this location along with five other locations in Kokomo and satellite offices in Peru, Logansport, and Noblesville;

Whereas, Bona Vista Programs now provides innovative early childhood programming that is specially designed for each

child's development through Keys for Kids Preschool, Kindergarten Readiness, Positive Results for Kids, Child Care Solutions, Imagine That! Innovation Center, and Early Head Start;

Whereas, Adult Services provides an array of day programming options for individuals with disabilities to experience activities that enrich their personal growth through Community Connections, our day programming for adults with severe and profound disabilities, and Habilitation Services that provides individual and group training classes to adults with disabilities;

Whereas, WorkForce Diversity provides job placement services to individuals with disabilities while acquiring and maintaining employment in the community through resume and job development, on the job training, community job shadowing, internship programming, follow along services, and individualized employment specialist support;

Whereas, Through Bona Vista's Supported Living and Residential Services programming, individuals with disabilities can enhance their personal lives through community involvement and independent living;

Whereas, Bona Vista Industries offers work services as an employment option to enhance the vocational aptitude and independent living skills of adults with disabilities, while also providing these individuals with valuable training and everyday support;

Whereas, Bona Vista understands the importance of centering services around the child or adult as a result of decades of experience, which started when we provided services to 33 children in 1958 and continues as we now serve more than 2,000 individuals on a daily basis in 21 counties throughout north central Indiana serving Adams, Blackford, Carroll, Cass, Clinton, Delaware, Fulton, Grant, Hamilton, Hancock, Howard, Huntington, Jasper, Jay, Madison, Miami, Pulaski, Tipton, Wabash, Wells, and White counties; and

Whereas, Over the last 55 years, Bona Vista Programs, Inc., has consistently been proactive in the creation of programming and services for the ever-changing needs of the children and adults with and without disabilities in our local communities, and Bona Vista now looks ahead to future growth: 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 recognizes the value of Bona Vista Programs, Inc., to the needy in our state and thanks the organization for its dedication and service.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to Bona Vista Programs, Inc.

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 50

House Concurrent Resolution 50, sponsored by Senators Taylor and Randolph:

A CONCURRENT RESOLUTION honoring Judge Robert Wilkins.

Whereas, Judge Robert Wilkins was confirmed to serve on the United States Court of Appeals for the District of Columbia Circuit by the United States Senate on January 13, 2014, and received his commission on January 15, 2014;

Whereas, Born in Muncie in 1963, Judge Robert Wilkins was raised by his mother, Joyce, and attended Muncie Northside High School;

Whereas, After graduation from high school, Judge Wilkins studied chemical engineering at Rose-Hulman Institute of Technology, graduating with a Bachelor of Science degree;

Whereas, Judge Wilkins studied law at Harvard Law School, earning his degree in 1989;

Whereas, Following his graduation from Harvard Law School, Judge Wilkins clerked for the Honorable Earl B. Gilliam of the United States District Court for the Southern District of California and later served as a staff attorney and as head of the Special Litigation Division for the Public Defender Service for the District of Columbia;

Whereas, Judge Wilkins also practiced as a partner with Venable LLP, specializing in white collar defense, intellectual property, and complex civil litigation;

Whereas, Judge Wilkins was a member of the presidential commission advising President George W. Bush on the establishment of the Smithsonian Institution's National Museum of African American History and Culture;

Whereas, Judge Wilkins also served as a judge of the United States District Court for the District of Columbia from 2010 to 2014;

Whereas, In recognition of his outstanding service, Judge Wilkins has received numerous honors and awards, including being named one of the "40 under 40 most successful young

litigators in America" by the National Law Journal and one of the "90 Greatest Washington Lawyers of the Last 30 Years" by the Legal Times; and

Whereas, Exemplary service to the United States of America, such as that of Judge Robert Wilkins, merits 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 Judge Robert Wilkins on his confirmation to serve on the United States Court of Appeals for the District of Columbia Circuit and thanks him for his dedication and service to the people of Indiana and the United States.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Judge Robert Wilkins.

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.

Senate Concurrent Resolution 34

Senate Concurrent Resolution 34, introduced by Senator Lanane:

A CONCURRENT RESOLUTION acknowledging February as Teen Dating Violence Awareness and Prevention Month.

Whereas, Dating violence is a pattern of abusive behaviors used to exert power and control over a dating partner;

Whereas, Dating violence can be experienced by anyone at any level of a relationship, regardless of gender, sexual identity, economic status, ethnicity or religious preference;

Whereas, Violent behavior typically begins between the ages of 12 and 18;

Whereas, Nearly 1.5 million high school students nationwide experience physical abuse from a dating partner every year;

Whereas, One in three girls in the United States is a victim of physical, emotional or verbal abuse from a dating partner, which far exceeds rates of other types of youth violence;

Whereas, Only 33% of teens in an abusive relationship tell anyone about the abuse;

Whereas, The effects of violent relationships are long-lasting and put victims at a higher risk of substance abuse, eating

disorders, attempting suicide, further domestic violence, and partaking in risky sexual behaviors leading to higher rates of pregnancy and sexually transmitted diseases;

Whereas, Dating violence comes in many forms, including physical abuse, verbal/emotional abuse, sexual abuse, and digital abuse;

Whereas, The ten warning signs of abuse are checking cell phones and emails without permission, constantly putting the partner down, extreme jealousy or insecurity, explosive tempers, isolating the partner from family or friends, making false accusations, mood swings, physical harm, possessiveness, and telling the partner what to do;

Whereas, Anyone who feels they are in an abusive relationship is encouraged to speak up and get help; and

Whereas, Teen Dating Violence Awareness and Prevention Month is sponsored by Break the Cycle, a leading national voice for the issue that partners with numerous organizations, including the White House, MTV, the National Dating Abuse Hotline, Loveisrespect, The Allstate Foundation, Avon, and Mary Kay, to provide resources for those in need: Therefore,

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

SECTION 1. The Indiana General Assembly acknowledges February as Teen Dating Violence Awareness and Prevention Month, and applauds the efforts of organizations working to combat this difficult issue.

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 Riecken.

Senate Concurrent Resolution 36

Senate Concurrent Resolution 36, introduced by Senator Paul:

A CONCURRENT RESOLUTION recognizing and congratulating the town of Centerville, Indiana on the occasion of its bicentennial anniversary.

Whereas, Centerville, Indiana was platted in 1814. The historic town is located in Center Township in the center of Wayne County. Centerville became the county seat in 1818, and remained so until 1873;

Whereas, Centerville is steeped in history and rich in architectural beauty;

Whereas, The streets of Centerville were originally 100 feet wide, but with the increased activity in town when Centerville

became the county seat, the width of the streets was decreased to 65 feet. Buildings with common walls were erected in front of original buildings, and archways were thus created to reach the original buildings. The archways, dating from 1823 through 1836, are an uncommon architectural feature in the interior of the United States;

Whereas, The National Road, also known as the Cumberland Road, now known as U.S. 40, was the first major improved highway in the United States built by the federal government. The road runs east-west through the center of Centerville;

Whereas, Centerville is home to Wayne County's original log courthouse, which was built in 1812. The courthouse was moved to Centerville and restored in 1998. The courthouse is the only original log courthouse still standing in the Northwest Territory. Although it has been moved three times, the log courthouse maintains the integrity of when it was first built over 200 years ago; and

Whereas, Centerville will celebrate its bicentennial anniversary in 2014: 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 congratulates the town of Centerville on the occasion of its bicentennial anniversary.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Carolyn Lafever, Wayne County Historian.

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 Hamm.

Senate Resolution 54

Senate Resolution 54, introduced by Senator Becker:

A SENATE RESOLUTION recognizing the pervasiveness of Chronic Obstructive Pulmonary Disease and urging the Indiana State Department of Health to classify it as a "chronic disease" in Indiana.

Whereas, Chronic Obstructive Pulmonary Disease (COPD) is an umbrella term used to describe a group of progressive lung diseases, including emphysema and chronic bronchitis, that restrict air flow, cause trouble breathing, and grow worse over time;

Whereas, Tobacco use is the primary cause of COPD in the United States, but COPD can also be caused by genetic predisposition and air pollutants such as secondhand smoke and

certain types of fuels and gases;

Whereas, The symptoms of COPD include chronic cough, chronic phlegm production, shortness of breath during normal activities, the inability to take a deep breath, and wheezing, and the lung damage caused over time is irreversible;

Whereas, While there is no cure for COPD, treatment can help greatly improve an individual's quality of life, yet many individuals mistake their symptoms for normal aging and wait to receive treatments until the conditions are severe and more difficult to manage;

Whereas, Indiana specifically ranked in the highest range of all of the states in a 2011 survey, with 8.3% of Indiana residents having been told by a health care professional that they have COPD;

Whereas, Concerted public outreach efforts such as a DRIVE4COPD and by the Indiana State Department of Health classifying COPD as a "chronic disease" on the "chronic disease registry" could lead to the high number of Hoosiers currently diagnosed with COPD having better resources at their disposal, as well as more people being diagnosed early on and an overall healthier state; and

Whereas, The state of Indiana in its effort to address serious and chronic health conditions could also seek out and apply for funding and grants available to help provide for greater public awareness and treatment for COPD: Therefore,

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

SECTION 1. That the Indiana Senate recognizes the pervasiveness of Chronic Obstructive Pulmonary Disease and urges the Indiana State Department of Health to classify it as a "chronic disease" in Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Commissioner of the Indiana State Department of Health, Dr. William C. VanNess, II.

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

Senate Resolution 56

Senate Resolution 56, introduced by Senator Glick:

A SENATE RESOLUTION congratulating Angola Moose Lodge on its 100th Anniversary.

Whereas, Since 1914, Angola Moose Lodge 1568, Chapter 66, has continually assisted and served Angola, Indiana and the surrounding communities;

Whereas, The fraternal lodge remains strong with a current membership of 700 individuals;

Whereas, The Moose Lodge is known in particular for sponsoring and serving more than 200 children at Christmas time and for adopting families picked by the local schools, to ensure that the holidays for those families are brighter;

Whereas, Throughout the year, the Moose Lodge also engages in barbecues, bowling outings, and other events that raise money for a residential childcare facility that the lodge heavily supports, as well as other charities;

Whereas, The lodge is the site for public events, and serves as a symbol of the community; and

Whereas, The Moose Lodge's celebration in honor of its anniversary, "Countdown to 100 Years," will culminate on August 26, 2014, when the community will gather to celebrate the lodge's past, present, and future: Therefore,

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

SECTION 1. That the Indiana Senate congratulates and recognizes the Angola Moose Lodge on its 100 years of fellowship and service to the community.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Angola Moose Lodge.

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

Senate Resolution 57

Senate Resolution 57, introduced by Senators Broden, Arnold, and Zakas:

A SENATE RESOLUTION honoring Derek D. Dieter for his 39 years of exemplary service on the South Bend Police Department.

Whereas, Derek D. Dieter graduated from St. Joseph High School and received an Associate of Science degree in Criminal Justice at Indiana University South Bend before entering the Indiana Law Enforcement Academy in the Fall of 1977;

Whereas, Derek D. Dieter was officially sworn in as a member of the South Bend Police Department on January 10, 1978, and was assigned PIN # 323;

Whereas, Derek D. Dieter retired with distinction and valor as a sworn police officer on February 8, 2014;

Whereas, Derek D. Dieter made thousands of arrests, vehicle stops, participated in dozens of chases, foot pursuits, and was involved in five shootouts during his tenure on the South Bend

police force;

Whereas, Derek D. Dieter received several accolades and awards, including 165 letters of commendation for outstanding and heroic police work, 30 letters of citizen recognition, 7 letters of Congressional recognition, 3 letters of Mayoral recognition, and 2 letters of recognition from the St. Joseph County Prosecutor, and other high honors;

Whereas, Derek D. Dieter served 20 years on the South Bend Police Department SWAT Team, including 10 years as a Team Leader. He participated in over 350 SWAT calls, many involving high-risk rescues and gun battles, and apprehensions of violent suspects. He also trained hundreds of area officers for 20 years in SWAT Survival School;

Whereas, Derek D. Dieter became the "face of the community policing" for his work with at-risk and disadvantaged youth. He founded the Implementing Maturity Positively Athleticism Leadership & Attitude (IMPALA) Program at the South Bend Housing Authority, where he won several state and federal awards;

Whereas, Derek D. Dieter created a book program to promote positive relationships with police, promote literacy and give youth responsibility, which he will continue in retirement;

Whereas, Derek D. Dieter taught youth to "take ownership, responsibility and pride" through learning discipline, life skills, confidence and manners; and

Whereas, Derek D. Dieter is known for being a coach, mentor, and friend who encourages young people to lead positive and productive lives: Therefore,

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

SECTION 1. The Senate of the General Assembly honors Derek D. Dieter for his 39 years of exemplary service on the South Bend Police Department.

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

SENATE MOTION

Madam President: I move that the following memorial resolution be adopted:

HCR 27 Senator Zakas

Memorializing and honoring the lives of Krystle Lauren Dikes and Rachelle Godfread and honoring Corporal Cody Skipper and Corporal Jason Tripp of the Elkhart Police Department.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING**House Concurrent Resolution 27**

House Concurrent Resolution 27, sponsored by Senators Zakas, Yoder, and Mishler:

A CONCURRENT RESOLUTION memorializing and honoring the lives of Krystle Lauren Dikes and Rachelle Godfread and honoring Corporal Cody Skipper and Corporal Jason Tripp of the Elkhart Police Department.

Whereas, Krystle Lauren Dikes was a beloved daughter, sister, and friend;

Whereas, Krystle was known for her kind and generous spirit and her love of children;

Whereas, Rachelle Godfread was a beloved daughter, sister, and friend;

Whereas, Rachelle was a dedicated and loving mother to sons Michael and Joseph;

Whereas, Krystle and Rachelle passed away on January 15, 2014, in Elkhart, Indiana;

Whereas, Elkhart Police Officer Cody Skipper and Officer Jason Tripp responded to the 911 call;

Whereas, Officer Skipper and Officer Tripp showed great bravery;

Whereas, Officer Skipper and Officer Tripp responded quickly, arriving at the scene in approximately 3 minutes, and disarming the gunman in approximately 1 minute;

Whereas, This quick and effective response prevented further loss of life;

Whereas, Hoosiers mourn the loss that the Dikes family and the Godfread family have experienced; and

Whereas, Hoosiers are thankful for the service of Officer Skipper and Officer Tripp: 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 wishes to express its sympathy to the families of Lauren Dikes and Rachelle Godfread and thank Corporal Cody Skipper and Corporal Jason Tripp for their bravery.

SECTION 2. That copies of this resolution be transmitted by the Principal Clerk of the House of Representatives to the

families of Lauren Dikes and Rachelle Godfread and to Corporal Cody Skipper and Corporal Jason Tripp.

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

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Resolution 15, 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.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Resolution 24, 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 7, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Resolution 39, 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 5, Nays 3.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Resolution 40, 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.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local

Government, to which was referred Senate Resolution 41, 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.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Senate Resolution 47, 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 9, Nays 0.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education, to which was referred Senate Resolution 48, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution be amended as follows:

Page 1, line 18, delete "capacity" and insert "*utilization*".

Page 2, line 5, delete "high-capacity,".

Page 2, delete lines 10 through 12.

Page 2, line 18, delete "adequate bandwidth capacity;" and insert "*broadband services*;".

Page 2, line 22, delete "investing in a robust, fiber-based network".

Page 2, delete line 23.

Page 2, line 24, delete "technology with" and insert "*providing*".

Page 2, line 24, delete ":" and insert "*for schools and libraries to receive adequate broadband*:".

(Reference is to SR 48 as introduced.)

and when so amended that said resolution do pass.

Committee Vote: Yeas 7, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Resolution 51, 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.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Senate Resolution 52, 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 9, Nays 0.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Engrossed House Bill 1005, 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 11 through 13.

Page 2, delete lines 26 through 42.

Page 3, delete lines 1 through 31.

Page 6, line 29, strike "victim".

Page 6, line 29, reset in roman "claimant".

Page 6, line 33, strike "victim".

Page 6, line 33, reset in roman "claimant".

Page 6, line 35, strike "victim".

Page 6, line 35, reset in roman "claimant".

Page 6, line 41, strike "victim".

Page 6, line 42, reset in roman "claimant".

Page 7, line 4, strike "victim".

Page 7, line 5, reset in roman "claimant".

Page 8, line 4, strike "victim".

Page 8, line 4, reset in roman "claimant".

Page 8, line 5, strike "victim".

Page 8, line 5, reset in roman "claimant".

Page 8, line 7, strike "victim".

Page 8, line 7, reset in roman "claimant".

Page 8, line 10, strike "victim".

Page 8, line 10, reset in roman "claimant".

Page 8, line 13, strike "victim".

Page 8, line 13, reset in roman "claimant".

Page 8, line 17, strike "victim".

Page 8, line 17, reset in roman "claimant".

Page 8, delete lines 36 through 42.

Page 9, delete lines 1 through 16.

Page 17, delete lines 41 through 42.

Page 18, delete lines 1 through 4.

Page 18, delete lines 10 through 42.

Page 19, delete lines 1 through 22.

Page 20, delete lines 2 through 13.

Page 22, line 42, after "state" insert "**general fund**".

Page 25, delete lines 18 through 42.

Page 26, delete lines 1 through 9.

Page 29, delete lines 8 through 42.

Delete page 30.

Page 31, delete lines 1 through 18.

Page 32, delete lines 11 through 42.
 Page 33, delete lines 1 through 38.
 Page 35, delete lines 3 through 42.
 Page 36, delete lines 1 through 23.
 Page 47, delete lines 29 through 30.
 Page 60, delete lines 26 through 27.
 Page 60, delete lines 30 through 31.
 Page 62, delete lines 19 through 20.
 Page 65, delete lines 6 through 20.
 Page 65, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 106. IC 35-52-25-18 IS REPEALED [EFFECTIVE JULY 1, 2014]. Sec. 18. ~~IC 25-18-1-19~~ defines a crime concerning distress sales:".

Renumber all SECTIONS consecutively.
 (Reference is to HB 1005 as reprinted January 31, 2014.)
 and when so amended that said bill do pass.
 Committee Vote: Yeas 9, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1006, 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:

Delete the title and insert the following:
 A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure and to make an appropriation.

Page 26, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 27. IC 11-12-2-1, AS AMENDED BY P.L.105-2010, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) For the purpose of encouraging counties to develop a coordinated local corrections-criminal justice system and providing effective alternatives to imprisonment at the state level, the commissioner shall, out of funds appropriated for such purposes, make grants to counties for the establishment and operation of community corrections programs. Appropriations intended for this purpose may not be used by the department for any other purpose. Money appropriated to the department of correction for the purpose of making grants under this chapter and any financial aid payments suspended under section 6 of this chapter do not revert to the state general fund at the close of any fiscal year, but remain available to the department of correction for its use in making grants under this chapter.

(b) Before March 1, 2015, the department shall estimate the amount of any operational cost savings that will be realized in the state fiscal year ending June 30, 2015, from a reduction in the number of individuals who are in the custody or made a ward of the department of correction (as described in IC 11-8-1-5) that is attributable to the

sentencing changes made in HEA 1006-2014 as enacted in the 2014 session of the general assembly. The department shall make the estimate under this subsection based on the best available information. If the department estimates that operational cost savings described in this subsection will be realized in the state fiscal year ending June 30, 2015, the following apply to the department:

- (1) The department shall certify the estimated amount of operational cost savings that will be realized to the budget agency and to the auditor of state.**
- (2) The department may, after review by the budget committee and approval by the budget agency, make additional grants as provided in this chapter to counties for the establishment and operation of community corrections programs from funds appropriated to the department for the department's operating expenses for the state fiscal year.**
- (3) The department may, after review by the budget committee and approval by the budget agency, transfer funds appropriated to the department for the department's operating expenses for the state fiscal year to the judicial conference of Indiana to be used by the judicial conference of Indiana to provide additional financial aid for the support of court probation services under the program established under IC 11-13-2.**
- (4) The maximum aggregate amount of additional grants and transfers that may be made by the department under subdivisions (2) and (3) for the state fiscal year may not exceed the lesser of:**
 - (A) the amount of operational cost savings certified under subdivision (1); or**
 - (B) eleven million dollars (\$11,000,000).**

Notwithstanding P.L.205-2013 (HEA 1001-2013), the amount of funds necessary to make any additional grants authorized and approved under this subsection and for any transfers authorized and approved under this subsection, and for providing the additional financial aid to courts from transfers authorized and approved under this subsection, is appropriated for those purposes for the state fiscal year ending June 30, 2015, and the amount of the department's appropriation for operating expenses for the state fiscal year ending June 30, 2015, is reduced by a corresponding amount. This subsection expires June 30, 2015.

(b) (c) The commissioner shall give priority in issuing community corrections grants to programs that provide alternative sentencing projects for persons with mental illness, addictive disorders, mental retardation, and developmental disabilities."

Page 86, between lines 23 and 24, begin a new paragraph and insert:

- "(h) It is a defense to a prosecution under this section that:**
- (1) the person was less than eighteen (18) years of age at the time the alleged offense was committed; and**
 - (2) the circumstances described in IC 35-45-4-6(a)(2) through IC 35-45-4-6(a)(4) apply.**

(i) A person is entitled to present the defense described in subsection (h) in a pretrial hearing. If a person proves by a preponderance of the evidence in a pretrial hearing that the defense described in subsection (h) applies, the court shall dismiss the charges under this section with prejudice."

Page 90, between lines 37 and 38, begin a new paragraph and insert:

"(o) A law enforcement officer who:

(1) is at least five (5) years older than a child who is:

(A) at least sixteen (16) years of age; and

(B) less than eighteen (18) years of age;

(2) has contact with the child while acting within the scope of the law enforcement officer's official duties with respect to the child; and

(3) uses or exerts the law enforcement officer's professional relationship with the child to engage with the child in:

(A) sexual intercourse;

(B) other sexual conduct (as defined in IC 35-31.5-2-221.5); or

(C) any fondling or touching with the child with the intent to arouse or satisfy the sexual desires of the child or the law enforcement officer;

commits child seduction."

Page 90, line 38, strike "(o)" and insert "(p)".

Page 91, line 1, strike "subsection (n)," and insert **"this section,"**.

Page 91, line 13, strike "(p)" and insert "(q)".

Page 91, line 14, after "person" insert **"or law enforcement officer"**.

Page 91, line 16, after "of" insert ":

(A)".

Page 91, line 16, after "child" insert ",".

Page 91, line 16, after "or" begin a new line double block indented and insert:

"(B)".

Page 91, line 16, after "person" delete "," and insert **"or law enforcement officer;"**.

Page 91, line 17, after "person" insert **"or law enforcement officer"**.

Page 95, between lines 39 and 40, begin a new paragraph and insert:

"SECTION 82. IC 35-43-1-1, AS AMENDED BY P.L.158-2013, SECTION 452, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) A person who, by means of fire, explosive, or destructive device, knowingly or intentionally damages:

(1) a dwelling of another person without the other person's consent;

(2) property of any person under circumstances that endanger human life;

(3) property of another person without the other person's consent if the pecuniary loss is at least five thousand dollars (\$5,000); or

(4) a structure used for religious worship without the consent of the owner of the structure;

commits arson, a Level 4 felony. However, the offense is a Level 3 felony if it results in bodily injury to any person other than a defendant and a Level 2 felony if it results in serious bodily injury to any person other than a defendant.

(b) A person who commits arson for hire commits a Level 4 felony. However, the offense is:

(1) a Level 3 felony if it results in bodily injury to any other person; and

(2) a Level 2 felony if it results in serious bodily injury to any other person.

(c) A person who, by means of fire, explosive, or destructive device, knowingly or intentionally damages property of any person with intent to defraud commits arson, a ~~Level 5~~ Level 6 felony.

(d) A person who, by means of fire, explosive, or destructive device, knowingly or intentionally damages property of another person without the other person's consent so that the resulting pecuniary loss is at least two hundred fifty dollars (\$250) but less than five thousand dollars (\$5,000) commits arson, a Level 6 felony.

(e) A person who commits an offense under subsection (a), (b), (c), or (d) commits a separate offense for each person who suffers a bodily injury or serious bodily injury that is caused by the violation of subsection (a), (b), (c), or (d).

SECTION 83. IC 35-43-1-2, AS AMENDED BY P.L.158-2013, SECTION 453, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) A person who recklessly, knowingly, or intentionally damages or defaces property of another person without the other person's consent commits criminal mischief, a Class B misdemeanor. However, the offense is:

(1) a Class A misdemeanor if the pecuniary loss is at least two hundred fifty dollars (\$250) but less than two thousand five hundred dollars (\$2,500); and

(2) a Level 6 felony if:

(A) the pecuniary loss is at least two thousand five hundred dollars (\$2,500);

(B) the damage causes a substantial interruption or impairment of utility service rendered to the public;

(C) the damage is to a public record; or

(D) the damage is to a law enforcement animal (as defined in IC 35-46-3-4.5).

(b) A person who recklessly, knowingly, or intentionally damages:

(1) a structure used for religious worship;

(2) a school or community center;

(3) the grounds:

(A) adjacent to; and

(B) owned or rented in common with;

a structure or facility identified in subdivision (1) or (2); or

(4) personal property contained in a structure or located at a facility identified in subdivision (1) or (2);

without the consent of the owner, possessor, or occupant of the property that is damaged, commits institutional criminal mischief, a Class A misdemeanor. However, the offense is a Level 6 felony if the pecuniary loss is at least two hundred fifty dollars (\$250), ~~but less than two thousand five hundred dollars (\$2,500); and a Level 5 felony if the pecuniary loss is at least two thousand five hundred dollars (\$2,500).~~

(c) If a person is convicted of an offense under this section that involves the use of graffiti, the court may, in addition to any other penalty, order that the person's operator's license be suspended or invalidated by the bureau of motor vehicles for not more than one (1) year.

(d) The court may rescind an order for suspension or invalidation under subsection (c) and allow the person to receive a license or permit before the period of suspension or invalidation ends if the court determines that the person has removed or painted over the graffiti or has made other suitable restitution.

SECTION 84. IC 35-43-1-7, AS ADDED BY P.L.158-2013, SECTION 458, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. ~~(a)~~ A person who knowingly or intentionally and who without authorization:

- (1) modifies data, a computer program, or supporting documentation;
- (2) destroys data, a computer program, or supporting documentation; or
- (3) discloses or takes data, a computer program, or supporting documentation that is:
 - (A) a trade secret (as defined in IC 24-2-3-2); or
 - (B) otherwise confidential as provided by law;

and that resides or exists internally or externally on a computer, computer system, or computer network, commits an offense against intellectual property, a Level 6 felony.

~~(b) However, the offense is a Level 5 felony if the offense is committed for the purpose of devising or executing any scheme or artifice to defraud or to obtain any property."~~

Page 98, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 87. IC 35-43-4-2.5, AS AMENDED BY P.L.158-2013, SECTION 465, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2.5. (a) As used in this section, "motor vehicle" has the meaning set forth in IC 9-13-2-105(a).

(b) A person who knowingly or intentionally exerts unauthorized control over the motor vehicle of another person, with intent to deprive the owner of:

- (1) the vehicle's value or use; or
- (2) a component part (as defined in IC 9-13-2-34) of the vehicle;

commits auto theft, a Level 6 felony. ~~However, the offense is a Level 5 felony if the person has a prior conviction of an offense under this subsection or subsection (c):~~

(c) A person who knowingly or intentionally receives, retains, or disposes of a motor vehicle or any part of a motor vehicle of

another person that has been the subject of theft commits receiving stolen auto parts, a Level 6 felony. ~~However, the offense is a Level 5 felony if the person has a prior conviction of an offense under this subsection or subsection (b):"~~

Page 105, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 92. IC 35-45-4-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. **(a) This section applies only to a person to whom all of the following apply:**

- (1) The person is less than eighteen (18) years of age.**
- (2) The person is not more than four (4) years older than the individual who is depicted in the image or who received the image.**
- (3) The relationship between the person and the individual who received the image or who is depicted in the image was a dating relationship or an ongoing personal relationship. For purposes of this subdivision, the term "ongoing personal relationship" does not include a family relationship.**
- (4) The individual receiving the image or who is depicted in the image acquiesced in the person's conduct.**

(b) The following definitions apply throughout this section:

- (1) "Disseminate" means to transfer possession for no direct or indirect consideration.**
- (2) "Matter" has the meaning set forth in IC 35-49-1-3.**
- (3) "Performance" has the meaning set forth in IC 35-49-1-7.**
- (4) "Sexual conduct" means sexual intercourse, other sexual conduct, exhibition of the uncovered genitals intended to satisfy or arouse the sexual desires of any person, sadomasochistic abuse, sexual intercourse or other sexual conduct with an animal, or any fondling or touching of a child by another person or of another person by a child intended to arouse or satisfy the sexual desires of either the child or the other person.**

(c) A person who, on or by means of a cellular telephone, social media web site, or another wireless or cellular communications device, knowingly or intentionally:

- (1) produces, presents, exhibits, photographs, records, or creates a digitized image of any performance or incident that includes sexual conduct by a child at least twelve (12) years of age;**
- (2) disseminates, exhibits to another person, or offers to disseminate or exhibit to another person, matter that depicts or describes sexual conduct by a child at least twelve (12) years of age; or**
- (3) possesses:**
 - (A) a picture;**
 - (B) a drawing;**
 - (C) a photograph;**
 - (D) a motion picture;**
 - (E) a digitized image; or**

(F) any pictorial representation; that depicts or describes sexual conduct by a child at least twelve (12) years of age who the person knows is less than sixteen (16) years of age or who appears to be less than sixteen (16) years of age, and that lacks serious literary, artistic, political, or scientific value; commits indecent display by a youth, a Class A misdemeanor.

(d) Subsection (c) does not apply to a bona fide school, museum, or public library that qualifies for certain property tax exemptions under IC 6-1.1-10, or to an employee of that school, museum, or public library acting within the scope of the employee's employment when the possession of the listed materials is for legitimate scientific or educational purposes."

Page 130, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 115. IC 35-50-2-4, AS AMENDED BY P.L.158-2013, SECTION 655, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) A person who commits a Class A felony (for a crime committed before July 1, 2014) or a Level 1 felony (for a crime committed after June 30, 2014) shall be imprisoned for a fixed term of between twenty (20) and fifty (50) years, with the advisory sentence being thirty (30) years. In addition, the person may be fined not more than ten thousand dollars (\$10,000).

(b) A person who commits a Level 1 felony (for a crime committed after June 30, 2014) shall be imprisoned for a fixed term of between twenty (20) and forty (40) years, with the advisory sentence being thirty (30) years. In addition, the person may be fined not more than ten thousand dollars (\$10,000)."

Page 130, line 12, strike "twenty (20)" and insert "fifteen (15)".

Page 130, line 13, delete "ten (10)" and insert "eight (8)".

Page 130, line 19, strike "twelve (12)" and insert "ten (10)".

Page 130, line 39, strike "six (6)" and insert "five (5)".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1006 as printed February 14, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 2.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1036, 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 2, delete lines 2 through 35, begin a new paragraph and insert:

"(c) Beginning July 1, 2015, a provider shall have, and maintain compliance with, a written policy describing the practice of the provider concerning the following:

(1) Bathroom and handwashing requirements.

(2) Safe conditions in the facility and on the grounds.

(3) Nutrition, including the provider's practice in use of food and drink provided by a child's parent or guardian.

(4) Daily activities.

(5) Safety of motor vehicles used to transport children.

(d) At the time a provider establishes the written policy required by subsection (c), and at the time of any subsequent change to the written policy, the provider shall:

(1) file with the division;

(2) post in a public location in the facility where the provider operates a child care program; and

(3) provide to the parent or guardian of each child in the care of the provider;

a copy of the written policy or change. The written policy required by subsection (c) is not subject to approval by the division.

(e) The division may make available to a provider educational materials related to quality of child care, as follows:

(1) The materials are available at no cost to the provider.

(2) The materials are appropriate to the ages of children cared for by the provider.

(3) The materials are current.

(4) The materials are available electronically.

(5) Use of the materials by the provider is voluntary.

SECTION 3. IC 12-17.2-3.5-5.5, AS AMENDED BY P.L.225-2013, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5.5. (a) A provider shall ensure that a child in the provider's care is continually supervised by a caregiver.

(b) A provider who that cares for children who are less than twelve (12) months of age shall:

(1) complete the training course provided or approved by the division under IC 12-17.2-2-1(10) concerning safe sleeping practices; and

(2) ensure that all caregivers of children who are less than twelve (12) months of age follow safe sleeping practices.

(c) After June 30, 2015, a provider that cares for:

(1) not more than sixteen (16) children at a facility where the provider operates a child care program shall maintain:

(A) a ratio of children to caregivers in the same proportions as specified in the child to staff ratio requirements; and

(B) the same group sizes as specified in the group size requirements;

that apply to a child care home under IC 12-17.2-5; and

(2) more than sixteen (16) children at a facility where the provider operates a child care program shall maintain:

(A) a ratio of children to caregivers in the same proportions as specified in the child to staff ratio requirements; and

(B) the same group sizes as specified in the group size requirements;

that apply to a child care center under IC 12-17.2-4."

Page 3, line 26, after "." insert "**The hours of continuing education required by this subdivision may include the training described in this chapter concerning child abuse detection and prevention, first aid, cardiopulmonary resuscitation, and safe sleeping practices.**".

Page 3, line 33, after "training" insert "**and completion of continuing education**".

Page 4, line 16, reset in roman "telephone".

Page 4, line 16, delete "communication device".

Page 4, delete lines 18 through 19, begin a new paragraph and insert:

"(b) A provider shall, in each facility where the provider operates a child care program, have a communication device (which may be the telephone required by subsection (a)) that is:"

Page 5, line 12, delete "An injury" and insert "A:

**(A) bodily injury (as defined in IC 35-31.5-2-29); or
(B) serious bodily injury (as defined in IC 35-31.5-2-292);"**

Page 5, line 12, beginning with "of the" begin a new line block indented.

Page 5, line 13, delete "licensed medical professional." and insert "**physician, dentist, registered nurse, licensed practical nurse, paramedic, or emergency medical technician.**".

Page 5, line 15, delete "," and insert ":

(1)"

Page 5, line 16, delete "(a)," and insert "**(a)(1); and**

(2) immediately after the occurrence of an incident described in subsection (a)(2);"

Page 5, line 16, beginning with "notify" begin a new line blocked left.

Page 5, between lines 17 and 18, begin a new paragraph and insert:

"(c) Information obtained under subsection (b)(1) that could be used to identify an individual child is confidential."

Renumber all SECTIONS consecutively.

(Reference is to HB 1036 as printed January 24, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 2.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1042, 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 3.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1045, 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 3, delete lines 38 through 42, begin a new paragraph and insert:

"SECTION 3. IC 25-23.5-4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

Chapter 4. Occupational Therapy Services and Referrals

Sec. 1. If an occupational therapist performs an evaluation and the evaluation suggests the possibility of a condition that requires medical attention, the occupational therapist shall promptly refer the patient to an individual licensed under IC 25-22.5.

Sec. 2. (a) An occupational therapist may assess and manage the pharyngoesophageal phase of swallowing, including instrumental evaluations, only if the occupational therapist has done the following:

(1) Obtained continuing competency specific to the assessment and management of swallowing disorders.

(2) Demonstrated competencies specific to the evaluation and management of pharyngoesophageal swallowing disorders within the practitioner's service delivery setting and with the specific populations through, at a minimum:

(A) professional development or similar advanced training;

(B) successful passage of a written test; and

(C) demonstrated clinical skills and knowledge.

(b) The competencies required under subsection (a)(2) must be annually reviewed and updated."

Page 4, delete lines 1 through 2.

Page 4, after line 32, begin a new paragraph and insert:

"SECTION 5. IC 25-35.6-1-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 11. A speech-language pathologist may assess and manage the pharyngoesophageal phase of swallowing, including instrumental evaluations, only if the speech-language pathologist has demonstrated competencies specific to the evaluation and management of pharyngoesophageal swallowing disorders through the successful passage of a written test."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1045 as printed January 24, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1061, 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 2, line 18, reset in roman "if a licensed dentist has examined the".

Page 2, reset in roman lines 19 through 20.

Page 2, line 29, after "(B)" insert "**until June 30, 2018,**".

Page 2, line 30, delete "if" and insert "**if:**
(i)".

Page 2, line 32, delete "." and insert "**by a dentist; and (ii) a written prescription for care has been issued by the dentist within the previous forty-five (45) days and the care is limited to the care prescribed by the dentist.**".

Page 3, delete lines 2 through 6.

Page 3, line 28, delete "who is practicing under a written".

Page 3, line 29, delete "prescription of a dentist".

Page 3, line 37, delete "health finance" and insert "**legislative council in an electronic format under IC 5-14-6**".

Page 3, line 38, delete "commission".

Page 3, line 38, delete "following:".

Page 3, line 39, delete "(1) The".

Page 3, run in lines 38 through 39.

Page 3, delete line 42.

Page 4, delete lines 1 through 2.

Page 4, delete lines 4 through 20.

Renumber all SECTIONS consecutively.

(Reference is to HB 1061 as printed January 24, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1063, 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 9, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1074, 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 12 through 17.

Page 2, delete lines 1 through 22, and insert "**requirements of subsection (b) is determined as follows:**

If a Member's Creditable Service Is:	The Amount Is:
At least 5 years, but less than 10 years (only in the case of a member receiving disability retirement benefits)	\$150
At least 10 years, but less than 20 years	\$275
At least 20 years, but less than 30 years	\$375
At least 30 years	\$450 .

Page 3, delete lines 5 through 32, and insert: "**requirements of subsection (b) is determined as follows:**

If a Member's Creditable Service Is:	The Amount Is:
At least 5 years, but less than 10 years (only in the case of a member receiving disability retirement benefits)	\$150
At least 10 years, but less than 20 years	\$275
At least 20 years, but less than 30 years	\$375
At least 30 years	\$450 .

Page 4, delete lines 19 through 42.

Page 5, delete lines 1 through 3, and insert "**who meets the requirements of subsection (c) is determined as follows:**

If a Plan Participant's Creditable Service Is:	The Amount Is:
At least 5 years, but less than 10 years (only in the case of a member receiving disability retirement benefits)	\$125
At least 10 years, but less than 20 years	\$235
At least 20 years, but less than 30 years	\$325
At least 30 years	\$400 .

(Reference is to EHB 1074 as printed February 21, 2014.)

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 Education and Career Development, to which was referred Engrossed House Bill 1079, 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, line 9, after "(1)" insert "**except as provided in subsection (m),**".

Page 2, line 17, strike "and".

Page 2, line 17, after "(k)," insert "**and (m),**".

Page 3, between lines 19 and 20, begin a new paragraph and insert:

"(m) Notwithstanding this section, the governing body of a school corporation may authorize the school corporation to enter into an agreement with an accredited nonpublic school or charter school to allow students of the accredited

nonpublic school or charter school to transfer to a school within the school corporation."

Page 3, line 20, strike "(m)" and insert "(n)".
 (Reference is to HB 1079 as printed January 14, 2014.)
 and when so amended that said bill do pass.
 Committee Vote: Yeas 9, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1083, 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 2, delete lines 6 through 24.
 Renumber all SECTIONS consecutively.
 (Reference is to HB 1083 as printed January 28, 2014.)
 and when so amended that said bill do pass.
 Committee Vote: Yeas 8, Nays 1.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1110, 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 11, delete "and".
 Page 4, line 11, after "IC 31-34-19," insert "**and IC 31-37,**".
 Page 4, line 30, after "shall" insert ":".
 Page 4, line 31, reset in roman "(1)".
 Page 4, line 36, delete "chapter." and insert "chapter;".
 Page 4, line 36, reset in roman "and".
 Page 4, between lines 37 and 38, begin a new line block indented and insert:

"(2) provide notice under section 3.5 of this chapter to the obligor."

Page 5, line 11, strike "before" and insert "**when**".
 Page 5, line 12, delete ":" and insert "**or (b):**".
 Page 6, line 17, strike "of intent".
 Page 6, line 19, delete "2.5(b)" and insert "**2.5(a) or 2.5(b)**".
 Page 6, line 23, after "that" insert "**income withholding has commenced, and if the notice is provided for an income withholding order issued under section 2.5(b) of this chapter, that**".

Page 6, line 23, delete "and income" and insert ".".
 Page 6, delete line 24.
 Page 9, line 10, strike "of intent".
 Page 9, line 19, delete "2.5(b)" and insert "**2.5(a) or 2.5(b)**".
 Page 9, line 24, delete "2.5(b)" and insert "**2.5(a) or 2.5(b)**".
 Page 27, after line 13, begin a new paragraph and insert:

"SECTION 25. IC 31-37-17-2, AS AMENDED BY P.L.146-2008, SECTION 640, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) In addition to providing the court with a recommendation for the care, treatment, or rehabilitation of the child, the person preparing the report shall consider the necessity, nature, and extent of the participation by a parent, guardian, or custodian in a program of care, treatment, or rehabilitation for the child.

(b) If a probation officer believes that an out-of-home placement would be appropriate for a delinquent child, the probation officer shall consider whether the child should be placed with ~~the child's a suitable and willing blood or adoptive relative caretaker, including a grandparent, an aunt, an uncle, or an adult sibling;~~ before considering other out-of-home placements for the child.

SECTION 26. IC 31-37-17-6.1, AS AMENDED BY P.L.146-2008, SECTION 643, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6.1. (a) The predispositional report prepared by a probation officer must include the following information:

- (1) A description of all dispositional options considered in preparing the report.
- (2) An evaluation of each of the options considered in relation to the plan of care, treatment, rehabilitation, or placement recommended under the guidelines described in section 4 of this chapter.
- (3) The name, occupation and position, and any relationship to the child of each person with whom the preparer of the report conferred as provided in section 1.1 of this chapter.
- (4) The items required under section 1 of this chapter.

(b) If a probation officer is considering an out-of-home placement, including placement with a ~~blood or an adoptive relative, caretaker;~~ the probation officer must conduct a criminal history check (as defined in IC 31-9-2-22.5) for each person who is currently residing in the location designated as the out-of-home placement. The results of the criminal history check must be included in the predispositional report.

(c) A probation officer is not required to conduct a criminal history check under this section if:

- (1) the probation officer is considering only an out-of-home placement to an entity or a facility that:
 - (A) is not a residence (as defined in IC 3-5-2-42.5); or
 - (B) is licensed by the state; or
- (2) placement under this section is undetermined at the time the predispositional report is prepared.

SECTION 27. IC 31-37-19-1.5, AS AMENDED BY P.L.131-2009, SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1.5. (a) This section applies to a delinquent child if the child is placed in an out-of-home residence or facility that is not a secure detention facility.

(b) The probation department, after negotiating with the child's parent, guardian, or custodian, shall complete the child's

case plan not later than sixty (60) days after the date of the child's first placement that the probation department requests to be paid for by the department.

(c) A copy of the completed case plan shall be sent to the department, to the child's parent, guardian, or custodian, and to an agency having the legal responsibility or authorization to care for, treat, or supervise the child not later than ten (10) days after the plan's completion.

(d) A child's case plan must be in a form prescribed by the department that meets the specifications set by 45 CFR 1356.21, as amended. The case plan must include a description and discussion of the following:

- (1) A permanency plan for the child and an estimated date for achieving the goal of the plan.
- (2) The appropriate placement for the child based on the child's special needs and best interests.
- (3) The least restrictive family-like setting that is close to the home of the child's parent, custodian, or guardian if out-of-home placement is implemented or recommended, including consideration of possible placement with any suitable and willing relative, ~~caretaker~~, before considering other out-of-home placements for the child.
- (4) Family services recommended for the child, parent, guardian, or custodian.
- (5) Efforts already made to provide family services to the child, parent, guardian, or custodian.
- (6) Efforts that will be made to provide family services that are ordered by the court.
- (7) A plan for ensuring the educational stability of the child while in foster care that includes assurances that the:
 - (A) placement of the child in foster care considers the appropriateness of the current educational setting of the child and the proximity to the school where the child is presently enrolled; and
 - (B) department has coordinated with local educational agencies to ensure:
 - (i) the child remains in the school where the child is enrolled at the time of removal; or
 - (ii) immediate, appropriate enrollment of the child in a different school if remaining in the same school is not in the best interests of the child.

(e) Each caretaker of a child and the probation department shall cooperate in the development of the case plan for the child. The probation department shall discuss with at least one (1) foster parent or other caretaker of a child the role of the substitute caretaker or facility regarding the following:

- (1) Rehabilitation of the child and the child's parents, guardians, and custodians.
- (2) Visitation arrangements.
- (3) Services required to meet the special needs of the child.

(f) The case plan must be reviewed and updated by the probation department at least once every one hundred eighty (180) days.

SECTION 28. IC 31-37-20-4.5, AS AMENDED BY P.L.128-2012, SECTION 175, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4.5. (a) At least ten (10) days before a hearing under section 2 or 3 of this chapter, the probation department shall send notice of the hearing to each of the following:

- (1) The child's parent, guardian, or custodian.
- (2) An attorney who has entered an appearance on behalf of the child's parent, guardian, or custodian.
- (3) The child or an attorney who has entered an appearance on behalf of the child.
- (4) A prospective adoptive parent named in a petition for adoption of the child filed under IC 31-19-2 if:
 - (A) each consent to adoption of the child that is required under IC 31-19-9-1 has been executed in the form and manner required by IC 31-19-9 and filed with the local office;
 - (B) the court having jurisdiction in the adoption case has determined under any applicable provision of IC 31-19-9 that consent to adoption is not required from a parent, guardian, or custodian; or
 - (C) a petition to terminate the parent-child relationship between the child and any parent who has not executed a written consent to adoption under IC 31-19-9-2 has been filed under IC 31-35 and is pending.
- (5) Any other person who:
 - (A) the probation department has knowledge is currently providing care for the child; and
 - (B) is not required to be licensed under IC 12-17.2 or IC 31-27 to provide care for the child.
- (6) Any other suitable relative. ~~or person whom the probation department knows has had a significant or caretaking relationship to the child.~~
 - (b) The court shall provide to a person described in subsection (a) an opportunity to be heard and to make any recommendations to the court in a hearing under section 2 or 3 of this chapter. The right to be heard and to make recommendations under this subsection includes:
 - (1) the right of a person described in subsection (a) to submit a written statement to the court that, if served upon all parties to the delinquency proceeding and the persons described in subsection (a), may be made a part of the court record; and
 - (2) the right to present oral testimony to the court and cross-examine any of the witnesses at the hearing.
 - (c) This section does not exempt the probation department from sending a notice of the review to each party to the delinquency proceeding.
 - (d) The court shall continue the hearing if, at the time set for the hearing, the probation department has not provided the court with a signed verification that any person required to be notified under this section has been notified in the manner stated in the verification, unless the person appears for the hearing.

SECTION 29. IC 31-37-22-4.5, AS ADDED BY P.L.131-2009, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4.5. (a) This section applies to a delinquent child if the child is placed in an out-of-home residence or facility that is not a secure detention facility.

(b) The probation department, after negotiating with the child's parent, guardian, or custodian, shall complete the child's case plan not later than sixty (60) days after the date of the child's first placement that the probation department requests to be paid for by the department.

(c) A copy of the completed case plan shall be sent to the department, to the child's parent, guardian, or custodian, and to an agency having the legal responsibility or authorization to care for, treat, or supervise the child not later than ten (10) days after the plan's completion.

(d) A child's case plan must be in a form prescribed by the department that meets the specifications set by 45 CFR 1356.21, as amended. The case plan must include a description and discussion of the following:

- (1) A permanency plan for the child and an estimated date for achieving the goal of the plan.
- (2) The appropriate placement for the child based on the child's special needs and best interests.
- (3) The least restrictive family like setting that is close to the home of the child's parent, custodian, or guardian if out-of-home placement is implemented or recommended, including consideration of possible placement with any suitable and willing relative, ~~caretaker~~, before considering other out-of-home placements for the child.
- (4) Family services recommended for the child, parent, guardian, or custodian.
- (5) Efforts already made to provide family services to the child, parent, guardian, or custodian.
- (6) Efforts that will be made to provide family services that are ordered by the court.
- (7) A plan for ensuring the educational stability of the child while in foster care that includes assurances that the:
 - (A) placement of the child in foster care considers the appropriateness of the current educational setting of the child and the proximity to the school where the child presently is enrolled; and
 - (B) department has coordinated with local educational agencies to ensure:
 - (i) the child remains in the school where the child is enrolled at the time of removal; or
 - (ii) immediate and appropriate enrollment of the child in a different school, including arrangements for the transfer of the child's school records to the new school, if remaining in the same school is not in the best interests of the child.

(e) The probation department and each caretaker of a child shall cooperate in the development of the case plan for the child. The probation department shall discuss with at least one (1)

foster parent or other caretaker of a child the role of the substitute caretaker or facility regarding the following:

- (1) Rehabilitation of the child and the child's parents, guardians, and custodians.
- (2) Visitation arrangements.
- (3) Services required to meet the special needs of the child.
- (f) The case plan must be reviewed and updated by the probation department at least once every one hundred eighty (180) days."

Renumber all SECTIONS consecutively.

(Reference is to HB 1110 as printed January 17, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Engrossed House Bill 1116, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 7.1-3-27-7, AS ADDED BY P.L.109-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. (a) This section applies only to a person that, on January 1, 2014:

- (1) holds the necessary permit or license from the United States to own or operate an establishment to manufacture liquor; and
- (2) does not hold any of the permits listed in section 5(a)(1) of this chapter.
- (b) A person must meet all the following requirements to be eligible for an artisan distiller's permit under this section:
 - (1) Any person (except for a person under subdivision (2)) who sells or furnishes liquor by the bottle or glass on the premises of the artisan distillery:
 - (A) must have ~~held for at least three (3) years an employee a~~ permit under IC 7.1-3-18-9 that authorizes the person to perform bartending duties;
 - (B) must have completed any alcohol server program or alcohol server training program refresher courses required under IC 7.1-3-1.5; and
 - (C) may not have any violations under this title.
 - (2) The applicant for the artisan distiller's permit and any management representative of the applicant must complete an alcohol server program or a trainer program established or approved under IC 7.1-3-1.5-5.5 or IC 7.1-3-1.5-6 not more than one (1) year before the date of the application for the artisan distiller's permit.
- (c) Except as provided in subsection (f)(2), the person may not be required to fulfill the requirements of section 5 of this chapter.

(d) If the person is issued an artisan distiller's permit under this section, the person must meet the following requirements for the period set forth in subsection (e):

(1) Any person selling or furnishing liquor on the premises of the artisan distillery (except for a person under subsection (b)(2)) must meet the requirements of subsection (b)(1).

(2) The holder of the artisan distiller's permit and any management representative of the holder of the artisan distiller's permit must successfully complete refresher courses under IC 7.1-3-1.5 not later than three (3) years after the date the holder or representative completes the initial server program or trainer program.

(e) A person who is issued an artisan distiller's permit under this section must meet the requirements in subsection (d) until the later of:

(1) three (3) years after the date on which the initial artisan distiller's permit is issued; or

(2) the date that the holder of the artisan distiller's permit has one (1) twelve (12) month period without a violation of this title.

(f) Upon fulfilling the requirements of subsections (d) and (e), a person who is issued an artisan distiller's permit under this section must meet the following requirements for as long as the person holds the permit:

(1) Any person who sells or furnishes liquor on the premises of the artisan distillery (except for a person under subsection (b)(2)) must have an employee permit under IC 7.1-3-18-9 and be otherwise authorized by the commission to perform bartending duties. However, the person is not required to

~~(A) hold an employee bartending permit for three (3) years before selling or furnishing liquor; and~~
~~(B) not have any violations under this title.~~

(2) The holder of the artisan distiller's permit and any management representative of the holder of the artisan distiller's permit are subject to the same alcohol server training requirements and refresher course requirements as the holder of an artisan distiller's permit that meets the requirements of section 5 of this chapter."

Renumber all SECTIONS consecutively.

(Reference is to HB 1116 as printed January 24, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1155, 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:

Replace the effective dates in SECTIONS 1 through 16 with

"[EFFECTIVE UPON PASSAGE]".

Page 2, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 2. IC 35-31.5-2-78, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 78. "Crime of domestic violence", for purposes of IC 5-2-6.1, **IC 35-38-9**, and IC 35-47-4-7, means an offense or the attempt to commit an offense that:

(1) has as an element the:

(A) use of physical force; or

(B) threatened use of a deadly weapon; and

(2) is committed against a:

(A) current or former spouse, parent, or guardian of the defendant;

(B) person with whom the defendant shared a child in common;

(C) person who was cohabiting with or had cohabited with the defendant as a spouse, parent, or guardian; or

(D) person who was or had been similarly situated to a spouse, parent, or guardian of the defendant."

Page 12, line 25, strike "and".

Page 12, line 29, delete "information." and insert "information; and

(E) the:

(i) members of the state board of law examiners;

(ii) executive director of the state board of law examiners; and

(iii) employees of the state board of law examiners, in accordance with rules adopted by the state board of law examiners;

for the purpose of determining whether an applicant possesses the necessary good moral character for admission to the bar."

Page 14, between lines 5 and 6, begin a new paragraph and insert:

"(f) Expungement of a crime of domestic violence under section 2 of this chapter does not restore a person's right to possess a firearm. The right of a person convicted of a crime of domestic violence to possess a firearm may be restored only in accordance with IC 35-47-4-7."

Page 17, line 28, after "office," insert "and".

Page 17, line 29, delete "juror," and insert "juror".

Page 17, line 29, strike "and, to the extent not prohibited by federal law, to own".

Page 17, strike line 30.

Page 18, after line 32, begin a new paragraph and insert:

"SECTION 18. IC 35-47-4-7, AS ADDED BY P.L.118-2007, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Notwithstanding IC 35-47-2, IC 35-47-2.5, the restoration of the right to serve on a jury under IC 33-28-5-18, ~~or~~ the restoration of the right to vote under IC 3-7-13-5, **or the expungement of a crime of domestic violence under IC 35-38-9**, and except as provided in subsections (b), (c), and (f), a person who has been convicted of

a crime of domestic violence may not possess a firearm. ~~after the person's release from imprisonment or lawful detention.~~

(b) Not earlier than five (5) years after the date of conviction, a person who has been convicted of a crime of domestic violence may petition the court for restoration of the person's right to possess a firearm. In determining whether to restore the person's right to possess a firearm, the court shall consider the following factors:

- (1) Whether the person has been subject to:
 - (A) a protective order;
 - (B) a no contact order;
 - (C) a workplace violence restraining order; or
 - (D) any other court order that prohibits the person from possessing a firearm.
- (2) Whether the person has successfully completed a substance abuse program, if applicable.
- (3) Whether the person has successfully completed a parenting class, if applicable.
- (4) Whether the person still presents a threat to the victim of the crime.
- (5) Whether there is any other reason why the person should not possess a firearm, including whether the person failed to satisfy a specified condition under subsection (c) or whether the person has committed a subsequent offense.

(c) The court may condition the restoration of a person's right to possess a firearm upon the person's satisfaction of specified conditions.

(d) If the court denies a petition for restoration of the right to possess a firearm, the person may not file a second or subsequent petition until one (1) year has elapsed after the filing of the most recent petition.

(e) A person has not been convicted of a crime of domestic violence for purposes of subsection (a) ~~if the conviction has been expunged or if the person has been pardoned.~~

(f) The right to possess a firearm shall be restored to a person whose conviction is reversed on appeal or on postconviction review at the earlier of the following:

- (1) At the time the prosecuting attorney states on the record that the charges that gave rise to the conviction will not be refiled.
- (2) Ninety (90) days after the final disposition of the appeal or the postconviction proceeding.

SECTION 19. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to HB 1155 as printed January 17, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 1.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Engrossed House Bill 1162, 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 9, Nays 1.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1181, 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 2, delete lines 21 through 42.

Delete pages 3 through 4.

Page 5, delete line 1, begin a new paragraph and insert:

"SECTION 3. IC 5-2-10.1-10, AS AMENDED BY SEA 24-2014, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10. (a) A county may establish a county school safety commission.

(b) The members of the commission are as follows:

- (1) The school safety specialist for each school corporation located in whole or in part in the county.
- (2) The judge of the court having juvenile jurisdiction in the county or the judge's designee.
- (3) The sheriff of the county or the sheriff's designee.
- (4) The chief officer of every other law enforcement agency in the county, or the chief officer's designee.
- (5) A representative of the juvenile probation system, appointed by the judge described under subdivision (2).
- (6) Representatives of community agencies that work with children within the county.
- (7) A representative of the Indiana state police district that serves the county.
- (8) A representative of the prosecuting attorneys council of Indiana who specializes in the prosecution of juveniles.
- (9) Other appropriate individuals selected by the commission.

(c) If a commission is established, the school safety specialist of the school corporation having the largest ADM (as defined in IC 20-18-2-2), as determined in the fall count of ADM in the school year ending in the current calendar year, in the county shall convene the initial meeting of the commission.

(d) The members shall annually elect a chairperson.

(e) A commission shall perform the following duties:

- (1) Perform a cumulative analysis of school safety needs within the county.
- (2) Coordinate and make recommendations for the following:
 - (A) Prevention of juvenile offenses and improving the reporting of juvenile offenses within the schools.
 - (B) Proposals for identifying and assessing children who are at high risk of becoming juvenile offenders.
 - (C) Methods to meet the educational needs of children who have been detained as juvenile offenders.

(D) Methods to improve communications among agencies that work with children.

(E) Methods to improve security and emergency preparedness.

(F) Additional equipment or personnel that are necessary to carry out safety plans.

(G) Any other topic the commission considers necessary to improve school safety within the school corporations within the commission's jurisdiction.

(3) Provide assistance to the school safety specialists on the commission in developing and requesting grants for safety plans.

(4) Provide assistance to the school safety specialists on the commission and the participating school corporations **and school corporation career and technical education schools described in IC 20-37-1-1** in developing and requesting grants for school safe haven programs under section 7 of this chapter.

(5) Assist each participating school corporation **and each school corporation career and technical education schools described in IC 20-37-1-1** in carrying out the school corporation's **or career and technical education school's** safety plans.

(f) The affirmative votes of a majority of the voting members of the commission are required for the commission to take action on a measure.

(g) A commission shall receive the school safety plans described in IC 20-26-18.2-2 for the schools and school corporations located in the county. The commission may share the school safety plans with law enforcement agencies.

SECTION 4. IC 5-2-10.1-12, AS AMENDED BY SEA 24-2014, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 12. (a) Each school within a school corporation **and each school corporation career and technical education school described in IC 20-37-1-1** shall establish a safe school committee. The committee may be a subcommittee of the committee that develops the strategic and continuous school improvement and achievement plan under IC 20-31-5.

(b) The department of education, the school corporation's school safety specialist, and, upon request, a school resource officer (as described in IC 20-26-18.2-1) shall provide materials and guidelines to assist a safe school committee in developing a plan and policy for the school that addresses the following issues:

(1) Unsafe conditions, crime prevention, school violence, bullying, criminal gang activity, and other issues that prevent the maintenance of a safe school.

(2) Professional development needs for faculty and staff to implement methods that decrease problems identified under subdivision (1).

(3) Methods to encourage:

(A) involvement by the community and students;

(B) development of relationships between students and school faculty and staff; and

(C) use of problem solving teams.

(c) As a part of the plan developed under subsection (b), each safe school committee shall provide a copy of the floor plans for each building located on the school's property that clearly indicates each exit, the interior rooms and hallways, and the location of any hazardous materials located in the building to the law enforcement agency and the fire department that have jurisdiction over the school.

(d) The guidelines developed under subsection (b) must include age appropriate, research based information that assists school corporations and safe school committees in:

(1) developing and implementing bullying prevention programs;

(2) establishing investigation and reporting procedures related to bullying; and

(3) adopting discipline rules that comply with IC 20-33-8-13.5.

(e) In addition to developing guidelines under subsection (b), the department of education shall establish categories of types of bullying incidents to allow school corporations to use the categories in making reports under IC 20-20-8-8 and IC 20-34-6-1."

Page 6, delete lines 14 through 28.

Renumber all SECTIONS consecutively.

(Reference is to HB 1181 as printed January 27, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Engrossed House Bill 1199, 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 9, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1204, 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 3, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 3. IC 20-18-2-16, AS AMENDED BY P.L.190-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. (a) "School corporation", for purposes of this title (except IC 20-20-33, IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-28-11.5,

IC 20-30-8, and IC 20-43), means a public school corporation established by Indiana law. The term includes a:

- (1) school city;
- (2) school town;
- (3) school township;
- (4) consolidated school corporation;
- (5) metropolitan school district;
- (6) township school corporation;
- (7) county school corporation;
- (8) united school corporation; or
- (9) community school corporation.

(b) "School corporation", for purposes of IC 20-26-1 through IC 20-26-5 and IC 20-26-7, has the meaning set forth in IC 20-26-2-4.

(c) "School corporation", for purposes of **IC 20-19-7**, IC 20-20-33, IC 20-26-18, and IC 20-30-8, includes a charter school (as defined in IC 20-24-1-4).

(d) "School corporation", for purposes of IC 20-43, has the meaning set forth in IC 20-43-1-23.

(e) "School corporation", for purposes of IC 20-28-11.5, has the meaning set forth in IC 20-28-11.5-3.

SECTION 4. IC 20-19-7 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2014]:

Chapter 7. Transfer of Student Information

Sec. 1. As used in this chapter, "agency" refers to the department, the state board, a school corporation, a public school, or any other entity created by statute or executive order that collects, maintains, receives, or stores student information.

Sec. 2. As used in this chapter, "student information" means any data collected, maintained, received, or stored by an agency in which an individual student in kindergarten through grade 12 is identified by name, by an assigned identification number, or in any manner by which the identity of an individual student may be ascertained.

Sec. 3. An agency may release or otherwise transfer student information to an entity only under the following circumstances:

- (1) **For a student who transfers to another public or nonpublic school.**
- (2) **For a student who attends a postsecondary educational institution or a training program.**
- (3) **For a student who registers for or takes part in a national or multistate assessment.**
- (4) **When an agency enters into:**
 - (A) **a contract that governs data bases, assessments, special education, or instructional, management, or operational supports with a third party;**
 - (B) **a data sharing agreement with an entity, acting on behalf of the agency, to conduct an audit or evaluation of a state or federally funded program; or**
 - (C) **a data sharing agreement with a researcher or research agency to conduct research on the agency's behalf.**

(5) For a student who is classified as a migrant for federal reporting purposes."

Page 3, line 13, delete "(d)," and insert "(c),".

Page 4, line 35, after "or" delete "the".

Page 4, line 35, after "of" delete "a" and insert "**the**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1204 as reprinted January 31, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1213, 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 5, Nays 4.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1218, 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, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 2. IC 12-23-18-2.5, AS ADDED BY P.L.116-2008, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2.5. (a) An opioid treatment program must periodically and randomly test, including before receiving treatment, a patient for the following during the patient's treatment by the program:

- (1) Methadone.
- (2) Cocaine.
- (3) Opiates.
- (4) Amphetamines.
- (5) Barbiturates.
- (6) Tetrahydrocannabinol.
- (7) Benzodiazepines.
- (8) Any other suspected or known drug that may have been abused by the patient.

(b) If a patient tests positive under a test described in subsection (a) for:

- (1) a controlled substance other than a drug for which the patient has a prescription or that is part of the patient's treatment plan at the opioid treatment program; or
- (2) an illegal drug other than the drug that is part of the patient's treatment plan at the opioid treatment program;

the opioid treatment program and the patient must comply with the requirements under subsection (c).

(c) If a patient tests positive under a test for a controlled substance or illegal drug that is not allowed under subsection ~~(b)~~; **(a)**, the following conditions must be met:

(1) The opioid treatment program must refer the patient to the onsite physician for a clinical evaluation that must be conducted not more than ten (10) days after the date of the patient's positive test. The physician shall consult with medical and behavioral staff to conduct the evaluation. The clinical evaluation must recommend a remedial action for the patient that may include discharge from the opioid treatment program or amending the treatment plan to require a higher level of supervision.

(2) The opioid treatment program may not allow the patient to take any opioid treatment medications from the treatment facility until the patient has completed a clinical assessment under subdivision (1) and has passed a random test. The patient must report to the treatment facility daily, except when the facility is closed, until the onsite physician, after consultation with the medical and behavioral staff, determines that daily treatment is no longer necessary.

(3) The patient must take a weekly random test until the patient passes a test under subsection ~~(b)~~: **(a)**.

(d) An opioid treatment program must conduct all tests required under this section in an observed manner to assure that a false sample is not provided by the patient.

SECTION 3. IC 12-23-18-5, AS AMENDED BY P.L.116-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. (a) The division shall adopt rules under IC 4-22-2 to establish the following:

(1) Standards for operation of an opioid treatment program in Indiana, including the following requirements:

(A) An opioid treatment program shall obtain prior authorization from the division for any patient receiving more than ~~fourteen (14)~~ **seven (7)** days of opioid treatment medications at one (1) time.

(B) Minimum requirements for a licensed physician's regular:

- (i) physical presence in the opioid treatment facility; and
- (ii) physical evaluation and progress evaluation of each opioid treatment program patient.

(C) Minimum staffing requirements by licensed and unlicensed personnel.

(D) Clinical standards for the appropriate tapering of a patient on and off of an opioid treatment medication.

(2) A requirement that, not later than February 28 of each year, a current diversion control plan that meets the requirements of 21 CFR Part 291 and 42 CFR Part 8 be submitted for each opioid treatment facility.

(3) Fees to be paid by an opioid treatment program for deposit in the fund for annual certification under this

chapter as described in section 3 of this chapter.

The fees established under this subsection must be sufficient to pay the cost of implementing this chapter.

(b) The division shall conduct an annual onsite visit of each opioid treatment program facility to assess compliance with this chapter."

Page 3, line 8, delete ":" and insert "**legislative council in an electronic format under IC 5-14-6 not later than October 1 of each year.**".

Page 3, delete lines 9 through 10, begin a new paragraph and insert:

"SECTION 4. IC 16-39-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. **(a)** The court may order the release of the patient's mental health record without the patient's consent upon the showing of good cause following a hearing under IC 16-39-3 or in a proceeding under IC 31-30 through IC 31-40 following a hearing held under the Indiana Rules of Trial Procedure.

(b) A provider shall, upon the request of a court that has committed a patient under IC 12-26-7, IC 12-26-8, IC 35-36-2-4, or IC 35-36-3, release to the court any information from the patient's mental health record that is required by the division of state court administration for transmission to NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.

Page 3, line 38, after "transmitted" insert "**as follows:**

(A) Before July 1, 2015,"

Page 3, line 39, delete "However,".

Page 3, delete lines 40 through 42, begin a new line double block indented and insert:

"(B) Beginning July 1, 2015, and until December 31, 2015, not more than three (3) days after the date on which a controlled substance is dispensed.

(C) Beginning January 1, 2016, and thereafter, not more than twenty-four (24) hours after the date on which a controlled substance is dispensed."

Page 4, delete lines 1 through 7.

Page 8, line 24, delete "Notwithstanding any other provision of this" and insert "**Before October 1, 2014, the Indiana professional licensing agency shall:**

(1) study the impact of including all prescription drugs in the INSPECT program; and

(2) report the findings to the legislative council in an electronic format under IC 5-14-6.

(b) The study under subsection (a) must include the following:

(1) The efficacy of including drugs other than controlled substances in the INSPECT program.

(2) Recommended parameters for the inclusion of drugs other than controlled substances.

(3) Analysis of any security concerns related to patient and provider privacy.

(4) Technology requirements.

(5) Regulatory impact analysis.

(6) Fiscal impact analysis.

(c) The:

- (1) state department of health;
- (2) office of the secretary of family and social services;
- (3) department of homeland security; and
- (4) Indiana office of technology (IC 4-13.1-2);

shall assist the Indiana professional licensing agency with the study required by this section."

Page 8, delete lines 25 through 42.

Page 9, delete lines 1 through 30.

Page 9, line 32, delete "health finance commission" and insert "legislative council shall assign to an appropriate interim committee the".

Page 9, line 33, delete "(IC 2-5-23) shall".

Page 9, line 33, after "study" insert "of".

Page 9, line 34, delete "commission" and insert "interim committee".

Renumber all SECTIONS consecutively.

(Reference is to HB 1218 as reprinted January 30, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1242, 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 8, delete line 34 and insert "applied".

(Reference is to HB 1242 as printed January 21, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1258, 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, line 4, delete "Distance Treatment" and insert "Indiana Telehealth Services Pilot Program".

Page 1, delete lines 5 through 16, begin a new paragraph and insert:

"Sec. 1. As used in this chapter, "telehealth services" means the use of telecommunications and information technology to provide access to health assessment, diagnosis, intervention, consultation, treatment, supervision, and information across a distance.

Sec. 2. (a) Before August 1, 2014, the board shall establish a pilot program to provide telehealth services to patients in

Indiana without the establishment of an in person patient-physician relationship.

(b) The pilot program must include the following:

(1) Requirement that the services be provided by a physician licensed under IC 25-22.5 who has an established physical practice in Indiana.

(2) Standards and procedures determined by the board for physicians to practice in providing services in the pilot program, including the following:

(A) The documentation and storage of a patient's medical records.

(B) Secure technology that complies with the federal Health Insurance Portability and Accountability Act.

(3) Determination by the board as to whether services provided in the pilot program may include the issuance of a prescription when providing telehealth services under the pilot program. However, the pilot program may not include the issuance of a prescription for a controlled substance.

(4) The types of services that may be provided under the pilot program, including a prohibition on the provision of emergency care.

(5) The geographic area that will be served under the pilot program.

(6) The duration of the pilot program.

Sec. 3. Not later than September 1, 2014, the board shall report to the legislative council in an electronic format under IC 5-14-6 concerning the pilot program, including implementation of the pilot program. The board shall include in the report required under this section whether any legislation is needed for the implementation of the pilot program."

Page 2, delete lines 1 through 17.

(Reference is to HB 1258 as printed January 24, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1279, 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 11, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1290, 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 3.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1303, 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, line 5, strike "number" and insert "**name**".

Page 2, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 4. IC 20-27-8-4, AS AMENDED BY P.L.82-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. An individual who is or intends to become a school bus driver must obtain a physical examination certificate stating that the individual possesses the physical characteristics required by section 1(a)(7) of this chapter. The certificate shall be made by ~~a physician who is licensed in Indiana or a state bordering Indiana after the physician~~ **an individual who is registered in the Federal Motor Carrier Safety Administration's National Registry of Certified Medical Examiners after the certified medical examiner** has conducted a physical examination of the school bus driver or prospective school bus driver. ~~The physician shall be chosen by the school bus driver or prospective driver, who shall pay for the examination.~~ **The school corporation shall determine how the certified medical examiner who is to conduct the physical examination is chosen and who must pay for the physical examination.**"

Re-number all SECTIONS consecutively.

(Reference is to HB 1303 as reprinted January 30, 2014.)
and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1321, 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 2, line 6, delete "The term".

Page 2, delete line 7.

Page 2, line 8, delete "a" and insert "**an**".

Page 2, line 9, delete "not-for-profit".

Page 4, between lines 11 and 12, begin a new paragraph and insert:

"(d) Except as otherwise provided in this chapter,

IC 20-24-6 applies to an innovation network school."

(Reference is to HB 1321 as reprinted January 30, 2014.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 3.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed 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 9, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1346, 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, delete line 25, begin a new line blocked left and insert: **"upon the signing of a release of employment related claims against the claimant's employer."**

Page 15, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 11. IC 22-4-15-6.1, AS AMENDED BY P.L.175-2009, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6.1. (a) Notwithstanding any other provisions of this article, all of the individual's wage credits established prior to the day upon which the individual was discharged for gross misconduct in connection with work are canceled.

(b) As used in this section, "gross misconduct" means any of the following committed in connection with work, as determined by the department by a preponderance of the evidence:

(1) A felony.

(2) A Class A misdemeanor.

(3) Working, or reporting for work, in a state of intoxication caused by the individual's use of alcohol or a controlled substance (as defined in IC 35-48-1-9).

(4) Battery on another individual while on the employer's property or during working hours.

(5) Theft or embezzlement.

(6) Fraud.

(c) ~~An employer:~~

~~(1) has the burden of proving by a preponderance of the evidence that a discharged employee's conduct was gross misconduct; and~~

~~(2) may present evidence that the employer fitted or maintained the position or job held by the discharged~~

employee after the employee's discharge.

(d) Evidence that a discharged employee's conduct did not result in:

- (1) a prosecution for an offense; or
- (2) a conviction of an offense;

may be presented:

(e) (c) If evidence is presented that an action or requirement of the employer may have caused the conduct that is the basis for the employee's discharge, the conduct is not gross misconduct under this section.

(f) (d) Lawful conduct not otherwise prohibited by an employer is not gross misconduct under this section."

Page 15, line 35, after "payment" insert "**of private unemployment benefits**".

Page 18, line 30, delete "(c)(4) and (c)(5)" and insert "**(c)(1) through (c)(5)**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1346 as reprinted January 28, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 1.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1347, 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 2, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 2. IC 24-4.5-5-105 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 105. (1) For the purposes of IC 24-4.5-5-101 through IC 24-4.5-5-108:

- (a) "disposable earnings" means that part of the earnings of an individual, including wages, commissions, income, rents, or profits remaining after the deduction from those earnings of amounts required by law to be withheld;
- (b) "garnishment" means any legal or equitable proceedings through which the earnings of an individual are required to be withheld by a garnishee, by the individual debtor, or by any other person for the payment of a judgment; and
- (c) "support withholding" means that part of the earnings that are withheld from an individual for child support in accordance with the laws of this state.

(2) Except as provided in subsection (8), the maximum part of the aggregate disposable earnings of an individual for any workweek which is subjected to garnishment to enforce the payment of one (1) or more judgments against ~~him~~ **the individual** may not exceed **the lesser of the following amounts:**

- (a) **An amount equal to twenty-five percent (25%) of his the individual's disposable earnings for that week or, upon a showing of good cause by the individual why the**

amount should be reduced, an amount equal to:

- (i) less than twenty-five percent (25%); and**
- (ii) at least ten percent (10%);**

of the individual's disposable earnings for that week.

(b) The amount by which ~~his~~ **the individual's** disposable earnings for that week exceed thirty (30) times the federal minimum hourly wage prescribed by 29 U.S.C. 206(a)(1) in effect at the time the earnings are payable.

~~whichever is less.~~ In the case of earnings for a pay period other than a week, the earnings shall be computed upon a multiple of the federal minimum hourly wage equivalent to thirty (30) times the federal minimum hourly wage as prescribed in this section.

(3) The maximum part of the aggregate disposable earnings of an individual for any workweek which is subject to garnishment or support withholding to enforce any order for the support of any person shall not exceed:

- (a) where such individual is supporting ~~his~~ **the individual's** spouse or dependent child (other than a spouse or child with respect to whose support such order is used), fifty percent (50%) of such individual's disposable earnings for that week; and
- (b) where such individual is not supporting such a spouse or dependent child described in subdivision (a), sixty percent (60%) of such individual's disposable earnings for that week;

except that, with respect to the disposable earnings of any individual for any workweek, the fifty percent (50%) specified in subdivision (a) shall be deemed to be fifty-five percent (55%) and the sixty percent (60%) specified in subdivision (b) shall be deemed to be sixty-five percent (65%), if and to the extent that such earnings are subject to garnishment or support withholding to enforce a support order with respect to a period which is prior to the twelve (12) week period which ends with the beginning of such workweek.

(4) No court may make, execute, or enforce an order or process in violation of this section.

(5) An employer who is required to make deductions from an individual's disposable earnings pursuant to a garnishment order or series of orders arising out of the same judgment debt (excluding a judgment for payment of child support) may collect, as a fee to compensate the employer for making these deductions, an amount equal to the greater of twelve dollars (\$12) or three percent (3%) of the total amount required to be deducted by the garnishment order or series of orders arising out of the same judgment debt. If the employer chooses to impose a fee, the fee shall be allocated as follows:

- (a) One-half (1/2) of the fee shall be borne by the debtor, and that amount may be deducted by the employer directly from the employee's disposable earnings.
- (b) One-half (1/2) of the fee shall be borne by the creditor, and that amount may be retained by the employer from the amount otherwise due the creditor.

The deductions made under this subsection for a collection fee do not increase the amount of the judgment debt for which the

fee is collected for the purpose of calculating or collecting judgment interest. This fee may be collected by an employer only once for each garnishment order or series of orders arising out of the same judgment debt. The employer may collect the entire fee from one (1) or more of the initial deductions from the employee's disposable earnings. Alternatively, the employer may collect the fee ratably over the number of pay periods during which deductions from the employee's disposable earnings are required.

(6) The deduction of the garnishment collection fee under subsection (5)(a) or subsection (7) is not an assignment of wages under IC 22-2-6.

(7) An employer who is required to make a deduction from an individual's disposable earnings in accordance with a judgment for payment of child support may collect a fee of two dollars (\$2) each time the employer is required to make the deduction. The fee may be deducted by the employer from the individual's disposable earnings each time the employer makes the deduction for support. If the employer elects to deduct such a fee, the amount to be deducted for the payment of support must be reduced accordingly if necessary to avoid exceeding the maximum amount permitted to be deducted under subsection (3).

(8) A support withholding order takes priority over a garnishment order irrespective of their dates of entry or activation. If a person is subject to a support withholding order and a garnishment order, the garnishment order shall be honored only to the extent that disposable earnings withheld under the support withholding order do not exceed the maximum amount subject to garnishment as computed under subsection (2)."

Page 4, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 8. IC 33-32-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) The clerk:

- (1) shall keep a circuit court judgment docket; and
- (2) is the official keeper of the circuit court judgment docket.

(b) A judgment docket:

(1) must contain:

- (A) all civil judgments in which one (1) party owes money to another party, including any court costs awarded to a judgment creditor; and
- (B) any entry that is required by a statute; and

(2) may not include:

(A) judgments in which money is owed by a person to a state, a county, or another governmental entity as a result of:

- (i) a criminal conviction; or
- (ii) a violation of an infraction or ordinance; or

(B) except for cases in which the state obtains a judgment for unpaid taxes, judgments in which a governmental entity is the sole creditor.

(c) The clerk may keep a judgment docket in:

- (1) an electronic format;
- (2) a paper format; or
- (3) both an electronic and a paper format.

(~~b~~) (d) Upon the filing in the office of the clerk a statement or transcript of any judgment for the recovery of money or costs, the clerk shall enter, and index in alphabetical order, in this judgment docket a statement of the judgment showing the following:

- (1) The names of all the parties.
- (2) The name of the court.
- (3) The number of the cause.
- (4) The book and page of the record in which the judgment is recorded.
- (5) The date the judgment is entered and indexed.
- (6) The date of the rendition of judgment.
- (7) The amount of the judgment and the amount of costs.

(~~e~~) (e) If a judgment is against several persons, the statement required to be entered under subsection (~~b~~) (d) shall be repeated under the name of each judgment debtor in alphabetical order.

(~~f~~) (f) A person interested in any judgment for money or costs that has been rendered by any state court, or by any federal court of general original jurisdiction sitting in Indiana, may have the judgment entered upon the circuit court judgment docket by filing with the clerk:

- (1) a **verified** statement setting forth the facts required under subsection (~~b~~); (d); or
- (2) a ~~transcript~~ **verified copy** of the judgment certified under the ~~hand~~ and seal of the court that rendered the judgment.

(g) The judgment docket shall be made available for public inspection at the office of the clerk during regular office hours. If a judgment docket is kept in an electronic format:

- (1) the judgment docket must be searchable; and**
- (2) a member of the public must be able to:**

- (A) search the judgment docket for the name of a specific party; and**
- (B) obtain a list of all judgments in the judgment docket concerning the party.**

(h) If the wages of a judgment debtor are being garnished, a clerk is not required to notify the employer of the judgment debtor to suspend the garnishment after the judgment is satisfied. A request to suspend the garnishment must be submitted by the judgment debtor to the court that rendered the judgment. The clerk is not required to take any action under this subsection concerning a garnishment other than to obey the orders of the court that rendered the judgment.

(i) Article 6, Section 2 of the Constitution of the State of Indiana states that the voters of each county shall elect a clerk of the circuit court. The general assembly recognizes that the clerk of the circuit court is a constitutional office located in a separate branch of government. A provision of this section that directs the clerk of the circuit court to engage in a certain activity:

- (1) shall be considered advisory in nature; and**
- (2) may not be considered a mandate."**

Page 6, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 16. IC 33-34-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. The judge of

the circuit court shall extend aid and assistance to the judges in the conduct of all the township small claims courts elected under this article shall select from among themselves a small claims administrative judge to carry out the duties of the small claims administrative judge under this article. The small claims administrative judge shall be selected for a minimum term of twelve (12) months.

SECTION 17. IC 33-34-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) The circuit court small claims administrative judge may establish a regular hourly schedule for the performance of duties by full-time or part-time township small claims courts, and each judge shall maintain that schedule.

(b) If the circuit court small claims administrative judge does not establish a regular hourly schedule, the judge shall perform the judge's duties at regular, reasonable hours.

(c) Regardless of whether a regular hourly schedule has been established as set forth in subsection (a), a judge shall hold sessions in addition to the judge's regular schedule whenever the business of the judge's court requires.

SECTION 18. IC 33-34-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) A vacation of one (1) month per year shall be provided for a judge who serves in a full-time capacity.

(b) The circuit court vacationing judge may authorize the appointment of a judge pro tempore to handle the judicial business of the vacationing judge, if the circuit court, judge considers it if necessary.

SECTION 19. IC 33-34-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. The small claims administrative judge of the circuit court, assisted by shall, in coordination with all the other judges of the small claims court, shall make and adopt uniform rules for conducting the business of the small claims court:

(1) according to a simplified procedure; and

(2) in the spirit of sections 7 and 9 of this chapter."

Page 8, after line 34, begin a new paragraph and insert:

"SECTION 26. IC 34-55-8-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. (a) **Except as provided in subsection (b),** after a hearing of which the judgment debtor has been notified, the court may order:

(1) any property, income, or profits of the judgment debtor not exempt from execution or process, in the hands either of the judgment debtor or of any other person; or

(2) any debt due to the judgment debtor;

to be applied to the satisfaction of the judgment and forbid transfers of property and choses in action.

(b) **If the judgment debtor has failed to comply with an agreed order in the action, after a hearing of which the judgment debtor has been notified, the court shall order:**

(1) any property, income, or profits of the judgment debtor not exempt from execution or process, in the hands either of the judgment debtor or of any other person; or

(2) any debt due to the judgment debtor; to be applied to the satisfaction of the judgment and forbid transfers of property and choses in action.

(~~b~~) (c) The judge may shall order that:

(1) the judgment or execution is a continuing lien upon the income or profits of the judgment debtor in the hands either of the judgment debtor or any other person, governmental officer, or corporation from the date the order is served upon the person, governmental officer, or corporation indebted to the judgment debtor to the extent that the lien, together with all similar liens, is permitted under IC 24-4.5-5-105; and

(2) the court may enforce all orders and decrees in the premises, by attachment or otherwise.

(~~c~~) (d) A court in an action for proceedings supplementary to execution shall issue an order directing a depository financial institution (as defined in IC 28-9-2) to place a hold on a deposit account in which the judgment debtor has an interest, either individually or jointly with another person, whenever the conditions prescribed under IC 28-9-3-4(d)(1) through IC 28-9-3-4(d)(3) are met. An order issued under **this subsection:**

(1) is subject to the limitations as to duration of the restriction and the amount to be restricted as specified under IC 28-9-4-2; and

(2) may be terminated or modified to reflect valid exemptions of a depositor that the court has considered.

(~~d~~) (e) If an order for the placing of a hold on a deposit account is issued under subsection (~~c~~), (d), a person whose deposit account is affected may request a hearing from the court on the matter of:

(1) the person's right to claim certain funds in the person's deposit account as exempt from garnishment; and

(2) whether the hold should be removed by the court.

(~~e~~) (f) If a court receives a request for a hearing under subsection (~~d~~), (e), the court shall hold a hearing on the matter within five (5) days (excluding Saturdays, Sundays, and legal holidays) after the court receives the request.

(~~f~~) (g) If a person whose deposit account is affected by the order issued under subsection (~~e~~) (d) files an affidavit with the court stating that the funds in the account are exempt from garnishment, the court may issue an order releasing the hold on the account without first conducting a hearing.

(h) **If a court has issued a garnishment order to a third party and the garnishment order no longer applies to the third party due to a change in circumstances, the court may cancel the garnishment order and issue a new garnishment order to an appropriate third party, if all of the following conditions are met:**

(1) The court has issued a garnishment order under subsection (a) or (b) with respect to a judgment debtor's income or profits in the hands of a third party.

(2) The judgment constitutes a continuing lien under subsection (c).

(3) Due to a change in circumstances, including a change of employment, the judgment debtor's income or profits are in the hands of a new third party not named in the garnishment order.

(4) The judgment creditor files a petition:

(A) notifying the court of the matters described in subdivisions (1) through (3); and

(B) informing the court of the name, address, and other relevant information concerning the new third party holding the judgment debtor's income and profits.

A court may issue a new garnishment order under this subsection without holding a hearing.

SECTION 27. [EFFECTIVE JULY 1, 2014] (a) As used in this SECTION, "commission" refers to the commission on courts established by IC 33-23-10-1.

(b) The general assembly urges the legislative council to assign to the commission or another appropriate study committee the task of studying:

(1) small claims court administration;

(2) the jurisdictional amount in small claims actions; and

(3) venue and the distribution of judicial resources in small claims actions.

(c) If the commission or another appropriate committee is assigned the topic described in subsection (b), the commission or committee shall issue to the legislative council a final report containing the commission's or committee's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6 not later than November 1, 2014.

(d) This SECTION expires January 1, 2015."

Renumber all SECTIONS consecutively.

(Reference is to HB 1347 as printed January 27, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1351, 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 4.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed 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 be amended as follows:

Page 2, line 22, delete "A representative" and insert "The director".

Page 2, line 23, delete "." and insert "or the director's designee."

Page 2, line 25, delete "(10)." and insert "(9)."

Page 3, line 4, strike "Except as provided in subsection (d)."

Page 3, line 4, delete "the" and insert "The".

Page 3, strike line 7.

Page 3, line 8, strike "the board".

Page 3, line 9, strike "are required for the".

Page 3, line 10, strike "board to take any action."

Page 3, line 20, strike "and".

Page 3, between lines 21 and 22, begin a new line double block indented and insert:

"(D) addiction counselors; and

(E) mental health professionals;"

Page 3, line 27, after "nurse" insert ", an addiction counselor, or a mental health professional".

Page 3, line 31, delete "and".

Page 3, line 31, after "nurses" insert ", addiction counselors, or mental health professionals".

Page 4, line 28, strike "or".

Page 4, line 29, after "nurse," insert "addiction counselor, or mental health professional,".

Page 6, line 1, delete "state department of" and insert "division of mental health and addiction."

Page 6, line 2, delete "health."

Page 6, line 30, delete "state department of health" and insert "division of mental health and addiction".

Renumber all SECTIONS consecutively.

(Reference is to HB 1360 as reprinted January 29, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Engrossed House Bill 1370, 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 9, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1378, 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, line 5, delete "committee" and insert "**committee, or another appropriate study committee as determined by the legislative council,**".

(Reference is to HB 1378 as printed January 24, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1380, 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 16.

Delete pages 2 through 6.

Page 7, delete lines 1 through 19, begin a new paragraph and insert:

"SECTION 1. IC 4-10-23-12, AS ADDED BY P.L.233-2013, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 15, 2013 (RETROACTIVE)]: Sec. 12. The department of state revenue shall **annually** notify the Indiana finance authority, the commission, the budget agency, and the owner or owners of a qualified motorsports facility of **the sum of:**

(1) the amount determined under section 11 of this chapter; **and**

(2) **the amount reverted to the state general fund from the qualified motorsports facility fund established under**

IC 5-1-17.5-30.5;

which ~~amount~~ **sum** shall be credited to the obligations of the owner or owners of a qualified motorsports facility in accordance with the provisions of IC 5-1-17.5.

SECTION 2. IC 5-1-17.5-30, AS ADDED BY P.L.233-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 15, 2013 (RETROACTIVE)]: Sec. 30. (a) If a motorsports investment district is established under this chapter, the commission shall establish a motorsports investment district fund for the motorsports investment district. The fund shall be administered by the commission. Except as provided in subsection (f), money in the fund does not revert to the state general fund at the end of a state fiscal year.

(b) The commission shall deposit amounts appropriated to the commission in the motorsports investment district fund as provided in this chapter.

(c) The commission shall request that the general assembly make an appropriation not to exceed ~~five~~ **seven** million dollars (~~(\$5,000,000)~~ **(\$7,000,000)**) to the commission for deposit in the motorsports investment district fund in each state fiscal year following the creation of the ~~motor sports~~ **motorsports** investment district fund, until the earlier of:

(1) the date that is twenty-two (22) years after the date on

which appropriations are first deposited in the motorsports investment district fund; or

(2) the date on which all bonds issued by the authority under section 37 of this chapter are no longer deemed outstanding.

The commission may use money in the motorsports investment district fund for the purposes of this chapter.

(d) Amounts held in the motorsports investment district fund may be distributed to a trustee of any bonds that are issued or to be issued by the authority under section 37 of this chapter and that are secured by rent to be paid by the commission under a lease entered into with the authority under section 32 of this chapter.

(e) Money in the motorsports investment district fund may be used by the commission or a trustee for the following:

(1) Payment of the rent due under leases of structures or other capital improvements that are located within a motorsports investment district.

(2) Payment of all expenses incurred by the commission or the authority in connection with the exercise of its duties and obligations set forth in this chapter, including those incurred in connection with the establishment of the motorsports investment district.

(f) On the date that all bonds issued by the authority under section 37 of this chapter are no longer deemed outstanding and all expenses incurred by the commission or the authority in connection with the exercise of its duties and obligations set forth in this chapter have been paid, all money then remaining on deposit in the motorsports investment district fund reverts to the state general fund.

SECTION 3. IC 5-1-17.5-30.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE MAY 15, 2013 (RETROACTIVE)]:** **Sec. 30.5. (a) If a motorsports investment district is established under this chapter, the commission shall establish a motorsports facility fund for the motorsports investment district.**

(b) During the term of the written agreement entered into by the owner or owners of the qualified motorsports facility, the authority, and the commission, the commission shall, in each state fiscal year, deposit in the motorsports facility fund at least two million dollars (\$2,000,000) solely from payments established under section 37(f)(1) of this chapter.

(c) Money in the motorsports facility fund reverts to the state general fund on June 30 of each year.

SECTION 4. IC 5-1-17.5-37, AS ADDED BY P.L.233-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 15, 2013 (RETROACTIVE)]: Sec. 37. (a) Subject to subsection (f), the authority may issue bonds for the purpose of obtaining money to pay the cost of improving, constructing, reconstructing, renovating, acquiring, or equipping improvements within a qualified motorsports facility.

(b) The terms and form of the bonds must be set out either in the resolution or in a form of trust indenture approved by the resolution.

(c) The bonds must mature within twenty (20) years.

(d) The authority shall sell the bonds at public or private sale upon the terms determined by the authority.

(e) All money received from any bonds issued under this chapter shall be applied to the payment of the cost of improving, constructing, reconstructing, renovating, acquiring, or equipping improvements within a qualified motorsports facility, or payment of the cost of refunding or refinancing outstanding bonds for which the bonds are issued. The cost may include:

- (1) planning and development of the improvement and all buildings, facilities, structures, and improvements related to the improvement;
- (2) acquisition of a site and clearing and preparing the site for construction;
- (3) equipment, facilities, structures, and improvements that are necessary or desirable to make the capital improvement suitable for use and operations;
- (4) architectural, engineering, consultant, and attorney's fees;
- (5) incidental expenses in connection with the issuance and sale of bonds;
- (6) reserves for principal and interest;
- (7) interest during construction;
- (8) financial advisory fees;
- (9) insurance during construction;
- (10) bond insurance, debt service reserve insurance, letters of credit, or other credit enhancement; and
- (11) in the case of refunding or refinancing, payment of the principal of, redemption premiums (if any) for, and interest on the bonds being refunded or refinanced.

(f) The authority may not issue bonds under this chapter unless:

- (1) the owner or owners of the qualified motorsports facility, the authority, and the commission have entered into a written agreement concerning the terms of the financing of the improvements financed under this chapter, including the obligation of the owner or owners of the qualified motorsports facility to make payments in an amount equal to at least two million dollars (\$2,000,000) in each state fiscal year to the commission for deposit in the motorsports **investment facility** fund during the term of the agreement;
- (2) in connection with the issuance of such bonds, the authority has leased the equipment, structures, and capital improvements being financed with the proceeds of the bonds to the commission under a lease under section 32 of this chapter, and the commission has entered into a sublease of such equipment, structures, and capital improvements with the owner or owners of the qualified motorsports facility. Such a sublease must include the terms described in sections 34(c) and 36(c) of this chapter; and
- (3) as part of the written agreement concerning the terms of the financing of the improvements, the ultimate parent

company of the qualified motorsports facility:

(A) guarantees the full and timely performance of all of the duties, responsibilities, and obligations of the qualified motorsports facility and the owner or owners of the qualified motorsports facility; and

(B) guarantees that if:

(i) the aggregate amount credited to the owner or owners of the qualified motorsports facility under IC 4-10-23-12 from income tax incremental amounts, gross retail incremental amounts, and admissions fees deposited in the state general fund under IC 6-8-14 during the thirty (30) years after the date of the adoption of the resolution establishing the motorsports improvement district; **plus**

(ii) **the amounts deposited in the motorsports facility fund established under section 30.5 of this chapter;**

is less than the aggregate of the amount of money appropriated to the commission and used to pay rent by the commission to the authority under any lease entered into between the authority and the commission under this chapter and any expenses that are incurred by the authority or the commission under this chapter and are not paid out of such rent, then the ultimate parent company will pay the difference to the commission.

(g) Each bond issued under this chapter must contain on its face a statement that neither the faith and credit nor the taxing power of the state is pledged to the payment of the principal of or the interest on the bond.

(h) In connection with the issuance of each series of bonds under this section, the authority (or its successor agency) and the public finance director shall be responsible for selecting all investment bankers, bond counsel, trustees, and financial advisors."

Page 8, line 12, delete "approved for a loan by the distressed" and insert **"that had a loan from the counter-cyclical revenue and economic stabilization fund denied in October 2013. However, the school corporation is not an eligible school corporation if in 2014 the voters approve a referendum tax levy for the school corporation under IC 20-46-1."**

Page 8, delete line 13.

Page 8, delete lines 41 through 42.

Page 9, delete line 1.

Page 9, line 2, delete "corporation." and insert **"described in section 2(3) of this chapter. The board shall make the loan to the eligible school corporation."**

Page 10, delete lines 33 through 42.

Page 11, delete lines 1 through 4.

Page 11, delete lines 33 through 38.

Page 14, line 20, strike "Indiana income".

Page 14, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 20. IC 6-9-2-4, AS AMENDED BY P.L.172-2011, SECTION 93, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) The bureau may:

- (1) accept and use gifts, grants, and contributions from any public or private source, under terms and conditions that the bureau considers necessary and desirable;
- (2) sue and be sued;
- (3) enter into contracts and agreements;
- (4) make rules necessary for the conduct of its business and the accomplishment of its purposes;
- (5) receive and approve, alter, or reject requests and proposals for funding by corporations qualified under subdivision (6);
- (6) after its approval of a proposal, transfer money from any fund established by the bureau, the promotion fund, or the alternate revenue fund to any Indiana nonprofit corporation to promote and encourage conventions, trade shows, visitors, or special events in the county;
- (7) require financial or other reports from any corporation that receives funds under this chapter;
- (8) enter into leases under IC 36-1-10 for the construction, acquisition, and equipping of a visitor center; and
- (9) exercise the power of eminent domain to acquire property to promote and encourage conventions, trade shows, special events, recreation, and visitors within the county.

(b) All expenses of the bureau shall be paid from funds established by the bureau. Before December 20 of each year, the bureau shall prepare a budget for expenditures during the following year, taking into consideration the recommendations made by a corporation qualified under subsection (a)(6) **and submit the budget to the county council for its review and approval. An expenditure may not be made under this chapter unless it is in accordance with an appropriation made by the county council in the manner provided by law.** A budget prepared by the bureau and approved by the county council under this section must be submitted to the department of local government finance and placed on file with the county auditor.

(c) All money in the bureau's funds shall be deposited, held, secured, invested, and paid in accordance with statutes relating to the handling of public funds. The handling and expenditure of money in the bureau's funds are subject to audit and supervision by the state board of accounts.

SECTION 21. IC 6-9-2-4.3, AS AMENDED BY P.L.172-2011, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4.3. (a) The Lake County convention and visitor bureau shall establish a convention, tourism, and visitor promotion alternate revenue fund (referred to in this chapter as the "alternate revenue fund"). The bureau may deposit in the alternate revenue fund all money received by the bureau after June 30, 2005, that is not required to be deposited in the promotion fund under section 2 of this chapter or a fund established by the bureau, including appropriations, gifts, grants, membership dues, and contributions

from any public or private source.

(b) The bureau may ~~without appropriation by the county council~~, expend money from the alternate revenue fund to promote and encourage conventions, trade shows, visitors, special events, sporting events, and exhibitions in the county. Money may be paid from the alternate revenue fund by claim in the same manner as municipalities may pay claims under IC 5-11-10-1.6.

(c) All money in the alternate revenue fund shall be deposited, held, secured, invested, and paid in accordance with statutes relating to the handling of public funds. The handling and expenditure of money in the alternate revenue fund is subject to audit and supervision by the state board of accounts.

(d) Money derived from the taxes imposed under IC 4-33-12 and IC 4-33-13 may not be transferred to the alternate revenue fund."

Page 16, delete lines 4 through 42.

Delete page 17.

Page 18, delete lines 1 through 4, begin a new paragraph and insert:

"SECTION 25. IC 9-29-5-42, AS AMENDED BY P.L.107-2008, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 42. (a) Except as provided in subsection ~~(c)~~; **(d)**, vehicles not subject to IC 9-18-2-8 or IC 9-18-2-8.5 shall be registered at one-half (1/2) of the regular rate, subject to IC 9-18-2-7, if the vehicle is registered after July 31 of any year. This subsection does not apply to the following:

- (1) Special machinery.
- (2) Semitrailers registered on a five (5) year or permanent basis under IC 9-18-10-2.
- (3) An implement of agriculture designed to be operated primarily on a highway.

(b) Except as provided in subsection ~~(c)~~; **(d)**, subsection (a), and IC 9-18-2-7 determine the registration fee for the registration of a vehicle subject to registration under IC 9-18-2-8(c) and acquired by an owner subsequent to the date required for the annual registration of vehicles by an owner set forth in IC 9-18-2-8.

(c) Except as provided in subsections (d) and (e), if the department of state revenue adopts rules under IC 9-18-2-7 to implement staggered registration, the department of state revenue shall collect the full annual fee for vehicles in a commercial fleet registering with the department of state revenue, regardless of the date the vehicle is registered. Any vehicles registered with the department of state revenue under this subsection after the date designated for registration shall be registered at a rate determined in STEP THREE of subsection (e).

~~(c)~~ **(d)** Subject to subsection ~~(d)~~; **(e)**, a vehicle subject to the International Registration Plan that is registered after September 30 shall be registered at a rate determined by the following formula:

STEP ONE: Determine the number of months before April 1 of the following year beginning with the date of

registration. A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Multiply the annual registration fee for the vehicle by the STEP TWO result.

(d) (e) If the department of state revenue adopts rules under IC 9-18-2-7 to implement staggered registration for motor vehicles subject to the International Registration Plan, a motor vehicle subject to the International Registration Plan that is registered after the date designated for registration of the motor vehicle in rules adopted under IC 9-18-2-7 shall be registered at a rate determined by the following formula:

STEP ONE: Determine the number of months before the motor vehicle must be re-registered. A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Multiply the annual registration fee for the vehicle by the STEP TWO result.

(e) (f) A school bus subject to registration under IC 9-18-2-8.5 that is registered after January 31 for the prior calendar year shall be registered at one-half (1/2) the regular rate.

SECTION 26. IC 36-6-6-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 16. (a) This section applies only to Green Township in Madison County.**

(b) **Notwithstanding any other law, the legislative body may issue a special order, entered and signed on the record, authorizing the executive of the township to borrow a sufficient amount of money to pay the township's obligations under a contract for fire or emergency services in 2014.**

(c) **This section expires January 1, 2017.**

SECTION 27. [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)]: (a) **This SECTION applies only to Washington Township in Hamilton County.**

(b) **The department of local government finance shall increase the 2014 maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for Washington Township in Hamilton County by the lesser of the following amounts:**

(1) **The amount determined by recalculating the 2014 maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for Washington Township in Hamilton County by using the 2007 maximum permissible ad valorem property tax levy for the county and then increasing the 2007 maximum permissible ad valorem property tax levy by applying the cumulative effect of using the assessed value growth quotient applicable to the county for each year during the period 2008 through 2014.**

(2) **Eighty-five thousand dollars (\$85,000).**

(c) **The 2014 maximum permissible ad valorem property tax levy for Washington Township in Hamilton County, as increased under this SECTION, shall also be used as the township's previous year maximum permissible ad valorem**

property tax levy for the determination under IC 6-1.1-18.5 of the township's 2015 maximum permissible ad valorem property tax levy.

(d) This SECTION expires January 1, 2016."

Page 18, delete lines 14 through 23.

Renumber all SECTIONS consecutively.

(Reference is to HB 1380 as printed January 28, 2014.)

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 Education and Career Development, to which was referred Engrossed House Bill 1388, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-28-3-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. Information containing teacher evaluation results that may be identified by teacher name, identification number, or other identifying criteria is confidential and exempt from disclosure requirements under IC 5-14-3-4."**

Page 1, line 11, delete "option for a candidate to secure" and insert "**entity approved by the department to offer a course of study leading to**".

Page 2, line 10, delete "The" and insert "**Before December 31, 2014, the**".

Page 2, line 29, delete "for a teacher candidate that" and insert "**attrition, retention, and completion rates of teacher candidates for**".

Page 2, line 30, delete "attempted the teacher preparation program in".

Page 2, line 30, delete "two (2)" and insert "**three (3)**".

Page 2, line 31, after "years" insert ".".

Page 2, line 32, strike "the attrition".

Page 2, line 32, delete "(excluding teacher candidates removed from".

Page 2, delete line 33.

Page 2, line 34, delete "institution),".

Page 2, line 34, strike "retention, and completion rates of".

Page 2, line 34, delete "teacher".

Page 2, strike line 35.

Page 3, line 2, strike "each".

Page 3, line 3, delete "candidate" and insert "**candidates**".

Page 3, line 3, strike "completes" and insert "**complete**".

Page 3, line 3, strike "takes" and insert "**take**".

Page 3, line 4, delete "." and insert "**and the percentage of students who receive a passing score on each licensing test on**

the students' first attempts."

Page 3, line 13, after "department" delete "," and insert "**and the commission for higher education,**".

Page 3, line 14, after "board," insert "**the Independent Colleges of Indiana, and teacher preparation programs,**".

Page 3, line 21, delete "two (2)" and insert "**three (3)**".

Page 3, delete lines 24 through 40.

Page 3, line 41, delete "(k)" and insert "(j)".

Page 4, line 1, delete "." and insert ", **in accordance with:**

(1) the Council for the Accreditation of Educator Preparation standards, for teacher preparation programs accredited by the Council for the Accreditation of Educator Preparation; or

(2) rigorous academic entry requirements for admission into a teacher preparatory program that are equivalent to the minimum academic requirements determined by the Council for the Accreditation of Educator Preparation, for teacher preparation programs that are not accredited by the Council for the Accreditation of Educator Preparation."

Page 4, line 1, beginning with "The" begin a new line blocked left.

Page 4, line 6, strike "August 1" and insert "**November 15**".

Page 4, line 17, delete "During" and insert "**Not before the beginning of**".

Page 4, line 23, delete "that" and insert "**who**".

Page 4, line 24, delete "two (2)" and insert "**three (3)**".

Page 4, line 25, after "developed" insert "**not later than July 30, 2016,**".

Page 4, line 25, delete "." and insert "**that is aligned with the matrix system established under IC 20-28-3-1(i).**".

Page 4, line 36, delete "two" and insert "**three (3)**".

Page 4, line 37, delete "(2)".

Page 5, line 19, strike "September 1" and insert "**December 15**".

Page 5, line 30, delete "," and insert ". **In addition to the aggregate results, the results must be**".

Page 5, line 32, delete "type" and insert "**content area**".

Page 5, line 32, after "of" insert "**the**".

Page 5, line 39, delete ":" and insert "**for teachers with three (3) or fewer years of teaching experience:**".

Page 5, line 40, delete "a summary of" and insert "**information from**".

Page 6, line 1, delete "a summary of" and insert "**information from**".

Page 6, line 4, after "results" insert "**from the most recent school year for which data are available**".

Page 6, line 5, after "chapter" insert "**with three (3) or fewer years of teaching experience**".

Page 6, line 8, delete ":".

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

Page 6, run in lines 8 through 9.

Page 6, line 10, delete "; and" and insert ".".

Page 6, delete lines 11 through 12, begin a new paragraph and

insert:

"SECTION 4. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1388 as reprinted January 31, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1391, 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 16, begin a new paragraph and insert:

"SECTION 1. IC 12-7-2-22, AS AMENDED BY P.L.145-2006, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 22. "Board" means the following:

(1) For purposes of IC 12-10-10, **IC 12-10-10.5**, and IC 12-10-11, the community and home options to institutional care for the elderly and disabled board established by IC 12-10-11-1.

(2) For purposes of 12-12-7-5, the meaning set forth in IC 12-12-7-5(a).

(3) For purposes of IC 12-15-35, the meaning set forth in IC 12-15-35-2.

SECTION 2. IC 12-7-2-44.6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 44.6. "Countable asset" **means the following:**

(1) For purposes of IC 12-10-10.5, in determining eligibility for the community living pilot program, property that is included in determining assets in the same manner as determining an individual's eligibility for the Medicaid aged and disabled waiver.

(2) For purposes of IC 12-20, means noncash property that is not necessary for the health, safety, or decent living standard of a household that:

(1) (A) is owned wholly or in part by the applicant or a member of the applicant's household;

(2) (B) the applicant or the household member has the legal right to sell or liquidate; and

(3) (C) includes:

(A) (i) real property other than property that is used for the production of income or that is the primary residence of the household;

(B) (ii) savings and checking accounts, certificates of deposit, bonds, stocks, and other intangibles that have a net cash value; and

(C) (iii) boats, other vehicles, or any other personal property used solely for recreational or entertainment purposes.

SECTION 3. IC 12-7-2-76, AS AMENDED BY P.L.145-2006, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 76. (a) "Eligible individual", for purposes of:

(1) IC 12-10-10, has the meaning set forth in IC 12-10-10-4; and

(2) **IC 12-10-10.5, has the meaning set forth in IC 12-10-10.5-3.**

(b) "Eligible individual" has the meaning set forth in IC 12-14-18-1.5 for purposes of the following:

(1) IC 12-10-6.

(2) IC 12-14-2.

(3) IC 12-14-18.

(4) IC 12-14-19.

(5) IC 12-15-2.

(6) IC 12-15-3.

(7) IC 12-16-3.5.

(8) IC 12-20-5.5.

SECTION 4. IC 12-7-2-146, AS AMENDED BY SEA 24-2014, SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 146. "Program" refers to the following:

(1) For purposes of IC 12-8-12.5, the meaning set forth in IC 12-8-12.5-1.

(2) For purposes of IC 12-10-7, the adult guardianship services program established by IC 12-10-7-5.

(3) For purposes of IC 12-10-10, the meaning set forth in IC 12-10-10-5.

(4) For purposes of IC 12-10-10.5, the meaning set forth in IC 12-10-10.5-4.

~~(4) (5) For purposes of ~~IC 12-17.2-2-14~~, IC 12-17.2-2-14.2, the meaning set forth in ~~IC 12-17.2-2-14~~. IC 12-17.2-2-14.2(a).~~

~~(5) (6) For purposes of ~~IC 12-17.2-3-7~~, IC 12-17.2-3.6, the meaning set forth in ~~IC 12-17.2-3-7-7~~. IC 12-17.2-3.6-7.~~

~~(4) (7) For purposes of ~~IC 12-17.2-3-7~~, IC 12-17.2-3.8, the meaning set forth in ~~IC 12-17.2-3-7-5~~. IC 12-17.2-3.8-2.~~

~~(5) (6) (8) For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-5.~~

SECTION 5. IC 12-10-10.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

Chapter 10.5. Community Living Pilot Program

Sec. 1. As used in this chapter, "board" refers to the community and home options to institutional care for the elderly and disabled board established by IC 12-10-11-1.

Sec. 2. As used in this chapter, "case management" means an administrative function conducted locally by an area agency on aging that includes the following:

(1) Assessment of an individual to determine the individual's functional impairment level and corresponding need for services.

(2) Initial verification of an individual's income and assets.

(3) Development of a care plan that:

(A) addresses an eligible individual's needs;

(B) takes into consideration the individual's family and community members who are willing to provide services to meet any of the individual's needs; and

(C) is consistent with a person centered approach to client care.

(4) Supervision of the implementation of appropriate and available services for an eligible individual.

(5) Advocacy on behalf of an eligible individual's interests.

(6) Monitoring the quality of community and home care services provided to an eligible individual.

(7) Reassessment of the care plan to determine:

(A) the continuing need and effectiveness of the community and home care services provided to an eligible individual under this chapter; and

(B) the annual reverification of a plan recipient's income and assets, as may be required by the division under section 3(d) of this chapter.

(8) Provision of information and referral services to individuals in need of community and home care services.

Sec. 3. (a) As used in this chapter, "eligible individual" means, beginning January 1, 2015, an individual who meets the following criteria:

(1) Is a resident of Indiana.

(2) Is:

(A) at least sixty (60) years of age; or

(B) an individual with a disability.

(3) Has assets that meet the following criteria:

(A) For an individual who participates in the program and whose date of application for the program is before January 1, 2015, assets that do not exceed five hundred thousand dollars (\$500,000), as determined by the division.

(B) For an individual whose date of application for the program is after December 31, 2014, countable assets that do not exceed two hundred fifty thousand dollars (\$250,000). In determining assets under this clause, the division shall exclude an additional twenty thousand dollars (\$20,000) in countable assets.

(4) Qualifies under criteria developed by the board as having an impairment that places the individual at risk of losing the individual's independence, as described in subsection (b).

(b) For purposes of subsection (a), an individual is at risk of losing the individual's independence if the individual is unable to perform any of the following:

(1) Two (2) or more activities of daily living. The use by or on behalf of the individual of any of the following services or devices does not make the individual ineligible for services under this chapter:

- (A) Skilled nursing assistance.
- (B) Supervised community and home care services, including skilled nursing supervision.
- (C) Adaptive medical equipment and devices.
- (D) Adaptive nonmedical equipment and devices.

(2) One (1) activity of daily living if, using the needs based assessment established under section 10(1) of this chapter, the division determines that addressing the single activity of daily living would significantly reduce the likelihood of the individual's loss of independence and the need for additional services.

(3) An activity if, using the needs based assessment established under section 10(1) of this chapter, the division determines that targeted intervention or assistance with the activity would significantly reduce the likelihood of the individual's loss of independence and the need for additional services.

(c) The division shall, in accordance with standards established under section 10(3) of this chapter, establish a cost participation schedule for a program recipient based on the program participant's income and countable assets. The cost participation schedule must meet the following:

(1) Exclude from cost participation an eligible individual whose income and countable assets do not exceed one hundred fifty percent (150%) of the federal income poverty level.

(2) In calculating income and countable assets for an eligible individual, deduct the medical expenses of the following:

- (A) The individual.
- (B) The spouse of the individual.
- (C) The dependent children of the individual.

(3) Exclude twenty thousand dollars (\$20,000) of a participant's countable assets from consideration in determining a participant's cost participation.

(d) The division may require annual reverification for program participants whom the division determines are likely to experience a material increase in income or assets. An individual shall submit the information requested by the division to carry out the redetermination allowed by this subsection.

(e) The division may not require a family or other person to provide services as a condition of an individual's eligibility for or participation in the program.

Sec. 4. As used in this chapter, "program" refers to the community living pilot program established by section 5 of this chapter.

Sec. 5. (a) Beginning January 1, 2015, the community living pilot program is established.

(b) The division shall administer the program. The division shall do the following:

(1) In consultation with the area agencies on aging, designate four (4) area agencies on aging to participate in the program. In determining the four (4) area agencies on aging to participate in the program, the

division shall consider the following criteria:

- (A) Geographic diversity.
- (B) Urban and rural representation.
- (C) Size of the area agency on aging's waiting list for services.
- (D) Size of the population served by the area agency on aging.

(2) Report data and outcome measures concerning the program to the board and, in an electronic format under IC 5-14-6, to the legislative council and an appropriate interim study committee determined by the legislative council before the following:

- (A) March 15, 2016.
- (B) September 15, 2016.
- (C) March 15, 2017.

Sec. 6. (a) Except as provided in subsection (b), the case management under this chapter of an individual leading to participation in the program may not be conducted by any agency that delivers services under the program.

(b) If the division determines that there is no alternative agency capable of delivering services to the individual, the area agency on aging that performs the assessment under the program may also deliver the services.

(c) The division shall provide the necessary funding to provide case management services for the program, as determined under section 10(2) of this chapter.

Sec. 7. Except as provided in section 8 of this chapter, state money for home health services under this chapter must be distributed only to licensed health care professionals, facilities, and agencies.

Sec. 8. The division shall establish a program to train relatives of eligible individuals to provide homemaker and personal care services to those eligible individuals.

Sec. 9. The office of the secretary, in consultation with the local area agencies on aging, shall negotiate reimbursement rates for services provided under this chapter.

Sec. 10. The division, in consultation with the area agencies on aging, shall develop policies that establish the following:

- (1) A needs based assessment to be used in determining a client's needs and care plan under section 2(3) of this chapter.
- (2) The percentage of program dollars adequate to provide case management services.
- (3) A cost participation schedule for program recipients as required by section 3(c) of this chapter.
- (4) Program performance measures.
- (5) Data and outcome measures for the program to be collected and reported under section 5(b)(2) of this chapter.

Sec. 11. This chapter expires June 30, 2017."

Delete pages 2 through 6.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1391 as printed February 21, 2014.)

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 Local Government, to which was referred Engrossed House Bill 1403, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 32-30-6-7, AS amended BY P.L.82-2005, SECTION 4, IS amended TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. (a) An action to abate or enjoin a nuisance may be brought by any person whose:

- (1) property is injuriously affected; or
- (2) personal enjoyment is lessened;

by the nuisance.

(b) A civil action to abate or enjoin a nuisance may also be brought by:

- (1) an attorney representing the county in which a nuisance exists; or
- (2) the attorney of any city or town in which a nuisance exists.

(c) A county, city, or town that brings a successful action under this section (~~or IC 34-1-52-2 or IC 34-19-1-2 before their repeal~~) to abate or enjoin a nuisance ~~caused by the unlawful dumping of solid waste~~ is entitled to recover reasonable attorney's fees incurred in bringing the action.

(d) A ~~forestry operation person~~ that successfully defends an action under this section is entitled to reasonable costs and attorney's fees incurred in defending the action.

SECTION 2. IC 36-1-20-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2014]: Sec. 1.5. As used in this chapter, "rental unit community" means one (1) or more parcels of contiguous real property upon which are located one (1) or more structures containing rental units, if:

- (1) the combined total of all rental units in all of the structures is five (5) or more rental units; and
- (2) the rental units are not occupied solely by the owner or the owner's family."

Page 3, delete lines 16 through 42, begin a new paragraph and insert:

"SECTION 7. IC 36-1-20-4.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2014]: Sec. 4.1. (a) This section does not apply to a political subdivision with a rental registration or inspection program created before July 1, 1984. This section does not apply to a manufactured housing community or mobile home community that is licensed, permitted, and inspected by the state department of health.

(b) Except as provided in subsection (c), this chapter does not prohibit a political subdivision from establishing and enforcing a program for inspecting rental units.

(c) Except as provided in subsection (d), after June 30, 2014, a political subdivision may not inspect a rental unit or impose a fee pertaining to the inspection of a rental unit, if the rental unit satisfies all of the following:

(1) The rental unit is:

(A) managed by; or

(B) part of a rental unit community that is managed by;

a professional real estate manager.

(2) During the previous twelve (12) months, the rental unit has been inspected:

(A) by or for:

(i) the United States Department of Housing and Urban Development, the Indiana Housing and Community Development Authority, or another federal or state agency; or

(ii) a financial institution or insurance company authorized to do business in Indiana; or

(B) by an independent inspector who:

(i) is a registered architect;

(ii) is a professional engineer; or

(iii) satisfies qualifications for an inspector of rental units prescribed by the political subdivision.

(3) A written inspection report of the inspection under subdivision (2) has been issued to the owner or landlord of the rental unit or rental unit community (as applicable) that verifies that the rental unit is safe and habitable with respect to:

(A) electrical supply and electrical systems;

(B) plumbing and plumbing systems;

(C) water supply, including hot water;

(D) heating, ventilation, and air conditioning equipment and systems;

(E) bathroom and toilet facilities;

(F) doors, windows, stairways, and hallways;

(G) functioning smoke detectors; and

(H) the structure in which a rental unit is located.

A political subdivision may not add to the requirements of this subdivision.

(4) The inspection report issued under subdivision (3) is delivered to the political subdivision on or before the due date set by the political subdivision.

(d) This subsection applies to all rental units, including a rental unit that meets the requirements for an exemption under subsection (c). A political subdivision may inspect a rental unit, if the political subdivision:

(1) has reason to believe; or

(2) receives a complaint;

that the rental unit does not comply with applicable code requirements. However, in the case of a rental unit that meets the requirements for an exemption under subsection

(c), the political subdivision may not impose a fee pertaining to the inspection of the rental unit. If an inspection of a rental unit reveals a violation of applicable code requirements, the owner of the rental unit may be subject to a penalty as provided in section 6 of this chapter.

(e) This subsection applies only to a rental unit that meets the requirements for an exemption under subsection (c). If the inspection report for the rental unit is prepared by or for the United States Department of Housing and Urban Development, the inspection report is valid for purposes of maintaining the exemption under subsection (c) until:

- (1) the date specified in the inspection report; or
- (2) thirty-six (36) months after the date of the inspection report;

whichever is earlier."

Page 4, delete lines 1 through 34.

Renumber all SECTIONS consecutively.

(Reference is to HB 1403 as printed February 4, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 1.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Engrossed House Bill 1423, 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 1.

MERRITT, Chair

Report adopted.

RESOLUTIONS ON SECOND READING

Senate Concurrent Resolution 19

Senator Paul called up Senate Concurrent Resolution 19 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 Hamm.

Senate Resolution 37

Senator Waterman called up Senate Resolution 37 for second reading. The resolution was read a second time and adopted by voice vote.

House Concurrent Resolution 3

Senator Waterman called up House Concurrent Resolution 3 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 Concurrent Resolution 7

Senator Kruse called up House Concurrent Resolution 7 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.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1001

Senator Hershman called up Engrossed House Bill 1001 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1001-1)

Madam President: I move that Engrossed House Bill 1001 be amended to read as follows:

Page 37, between lines 10 and 11, begin a new paragraph and insert:

SECTION 31. IC 22-2-2-4, AS AMENDED BY P.L.165-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) Every employer employing four (4) or more employees during a work week shall:

- (1) in any work week beginning on or after July 1, 1968, in which the employer is subject to the provisions of this chapter, pay each of the employer's employees wages of not less than one dollar and twenty-five cents (\$1.25) per hour;
- (2) in any work week beginning on or after July 1, 1977, in which the employer is subject to this chapter, pay each of the employer's employees wages of not less than one dollar and fifty cents (\$1.50) per hour;
- (3) in any work week beginning on or after January 1, 1978, in which the employer is subject to this chapter, pay each of the employer's employees wages of not less than one dollar and seventy-five cents (\$1.75) per hour; and
- (4) in any work week beginning on or after January 1, 1979, in which the employer is subject to this chapter, pay each of the employer's employees wages of not less than two dollars (\$2) per hour.

(b) Except as provided in subsection (c), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on and after July 1, 1990, and before October 1, 1998, wages of not less than three dollars and thirty-five cents (\$3.35) per hour.

(c) An employer subject to subsection (b) is permitted to apply a "tip credit" in determining the amount of cash wage paid to tipped employees. In determining the wage an employer is required to pay a tipped employee, the amount paid the employee by the employee's employer shall be an amount equal to:

- (1) the cash wage paid the employee, which for purposes of the determination shall be not less than the cash wage required to be paid to employees covered under the federal

Fair Labor Standards Act of 1938, as amended (29 U.S.C. 203(m)(1)) on August 20, 1996, which amount is two dollars and thirteen cents (\$2.13) an hour; and

(2) an additional amount on account of the tips received by the employee, which amount is equal to the difference between the wage specified in subdivision (1) and the wage in effect under subsections (b), (f), (g), ~~and~~ (h), (i), (j), (k), (l), (m), and (n).

An employer is responsible for supporting the amount of tip credit taken through reported tips by the employees.

(d) No employer having employees subject to any provisions of this section shall discriminate, within any establishment in which employees are employed, between employees on the basis of sex by paying to employees in such establishment a rate less than the rate at which the employer pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to:

- (1) a seniority system;
- (2) a merit system;
- (3) a system which measures earnings by quantity or quality of production; or
- (4) a differential based on any other factor other than sex.

(e) An employer who is paying a wage rate differential in violation of subsection (d) shall not, in order to comply with subsection (d), reduce the wage rate of any employee, and no labor organization, or its agents, representing employees of an employer having employees subject to subsection (d) shall cause or attempt to cause such an employer to discriminate against an employee in violation of subsection (d).

(f) Except as provided in subsection (c), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after October 1, 1998, and before March 1, 1999, wages of not less than four dollars and twenty-five cents (\$4.25) per hour.

(g) Except as provided in subsections (c) and ~~(f)~~, (p), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after March 1, 1999, and before July 1, 2007, wages of not less than five dollars and fifteen cents (\$5.15) an hour.

(h) Except as provided in subsections (c) and ~~(f)~~, (p), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after June 30, 2007, and before July 1, 2016, wages of not less than the minimum wage payable under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.).

(i) Except as provided in subsections (c) and (p), every employer employing at least two (2) employees during a work

week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after July 1, 2016, and before July 1, 2017, wages of not less than seven dollars and seventy-five cents (\$7.75) an hour.

(j) Except as provided in subsections (c) and (p), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after July 1, 2017, and before July 1, 2018, wages of not less than eight dollars and twenty-five cents (\$8.25) an hour.

(k) Except as provided in subsections (c) and (p), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after July 1, 2018, and before July 1, 2019, wages of not less than eight dollars and seventy-five cents (\$8.75) an hour.

(l) Except as provided in subsections (c) and (p), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after July 1, 2019, and before July 1, 2020, wages of not less than nine dollars and twenty-five cents (\$9.25) an hour.

(m) Except as provided in subsections (c) and (p), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after July 1, 2020, and before July 1, 2021, wages of not less than nine dollars and seventy-five cents (\$9.75) an hour.

(n) Except as provided in subsections (c) and (p), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after July 1, 2021, wages of not less than ten dollars (\$10) an hour.

~~(f)~~ (o) This section does not apply if an employee:

- (1) provides companionship services to the aged and infirm (as defined in 29 CFR 552.6); and
- (2) is employed by an employer or agency other than the family or household using the companionship services, as provided in 29 CFR 552.109 (a).

~~(f)~~ (p) This subsection applies only to an employee who has not attained the age of twenty (20) years. Instead of the rates prescribed by subsections (c), (f), (g), ~~and~~ (h), (i), (j), (k), (l), (m), and (n), an employer may pay an employee of the employer, during the first ninety (90) consecutive calendar days after the employee is initially employed by the employer, a wage which is not less than:

- (1) four dollars and twenty-five cents (\$4.25) per hour, effective March 1, 1999; and

(2) the amount payable under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.), during the first ninety (90) consecutive calendar days after initial employment to an employee who has not attained twenty (20) years of age, effective July 1, 2007.

However, no employer may take any action to displace employees (including partial displacements such as reduction in hours, wages, or employment benefits) for purposes of hiring individuals at the wage authorized in this subsection.

~~(k)~~ (q) Except as otherwise provided in this section, no employer shall employ any employee for a work week longer than forty (40) hours unless the employee receives compensation for employment in excess of the hours above specified at a rate not less than one and one-half (1.5) times the regular rate at which the employee is employed.

~~(h)~~ (r) For purposes of this section the following apply:

(1) "Overtime compensation" means the compensation required by subsection ~~(k)~~: (q).

(2) "Compensatory time" and "compensatory time off" mean hours during which an employee is not working, which are not counted as hours worked during the applicable work week or other work period for purposes of overtime compensation, and for which the employee is compensated at the employee's regular rate.

(3) "Regular rate" means the rate at which an employee is employed is considered to include all remuneration for employment paid to, or on behalf of, the employee, but is not considered to include the following:

(A) Sums paid as gifts, payments in the nature of gifts made at Christmas time or on other special occasions, as a reward for service, the amounts of which are not measured by or dependent on hours worked, production, or efficiency.

(B) Payments made for occasional periods when no work is performed due to vacation, holiday, illness, failure of the employer to provide sufficient work, or other similar cause, reasonable payments for traveling expenses, or other expenses, incurred by an employee in the furtherance of the employer's interests and properly reimbursable by the employer, and other similar payments to an employee which are not made as compensation for the employee's hours of employment.

(C) Sums paid in recognition of services performed during a given period if:

(i) both the fact that payment is to be made and the amount of the payment are determined at the sole discretion of the employer at or near the end of the period and not pursuant to any prior contract, agreement, or promise causing the employee to expect the payments regularly;

(ii) the payments are made pursuant to a bona fide profit sharing plan or trust or bona fide thrift or savings plan, meeting the requirements of the administrator set forth in appropriately issued

regulations, having due regard among other relevant factors, to the extent to which the amounts paid to the employee are determined without regard to hours of work, production, or efficiency; or

(iii) the payments are talent fees paid to performers, including announcers, on radio and television programs.

(D) Contributions irrevocably made by an employer to a trustee or third person pursuant to a bona fide plan for providing old age, retirement, life, accident, or health insurance or similar benefits for employees.

(E) Extra compensation provided by a premium rate paid for certain hours worked by the employee in any day or work week because those hours are hours worked in excess of eight (8) in a day or in excess of the maximum work week applicable to the employee under subsection ~~(k)~~ (q) or in excess of the employee's normal working hours or regular working hours, as the case may be.

(F) Extra compensation provided by a premium rate paid for work by the employee on Saturdays, Sundays, holidays, or regular days of rest, or on the sixth or seventh day of the work week, where the premium rate is not less than one and one-half (1.5) times the rate established in good faith for like work performed in nonovertime hours on other days.

(G) Extra compensation provided by a premium rate paid to the employee, in pursuance of an applicable employment contract or collective bargaining agreement, for work outside of the hours established in good faith by the contract or agreement as the basic, normal, or regular workday (not exceeding eight (8) hours) or work week (not exceeding the maximum work week applicable to the employee under subsection ~~(k)~~ (q)) where the premium rate is not less than one and one-half (1.5) times the rate established in good faith by the contract or agreement for like work performed during the workday or work week.

~~(m)~~ (s) No employer shall be considered to have violated subsection ~~(k)~~ (q) by employing any employee for a work week in excess of that specified in subsection ~~(k)~~ (q) without paying the compensation for overtime employment prescribed therein if the employee is so employed:

(1) in pursuance of an agreement, made as a result of collective bargaining by representatives of employees certified as bona fide by the National Labor Relations Board, which provides that no employee shall be employed more than one thousand forty (1,040) hours during any period of twenty-six (26) consecutive weeks; or

(2) in pursuance of an agreement, made as a result of collective bargaining by representatives of employees certified as bona fide by the National Labor Relations Board, which provides that during a specified period of fifty-two (52) consecutive weeks the employee shall be

employed not more than two thousand two hundred forty (2,240) hours and shall be guaranteed not less than one thousand eight hundred forty (1,840) hours (or not less than forty-six (46) weeks at the normal number of hours worked per week, but not less than thirty (30) hours per week) and not more than two thousand eighty (2,080) hours of employment for which the employee shall receive compensation for all hours guaranteed or worked at rates not less than those applicable under the agreement to the work performed and for all hours in excess of the guaranty which are also in excess of the maximum work week applicable to the employee under subsection ~~(k)~~ (q) or two thousand eighty (2,080) in that period at rates not less than one and one-half (1.5) times the regular rate at which the employee is employed.

~~(n)~~ (t) No employer shall be considered to have violated subsection ~~(k)~~ (q) by employing any employee for a work week in excess of the maximum work week applicable to the employee under subsection ~~(k)~~ (q) if the employee is employed pursuant to a bona fide individual contract, or pursuant to an agreement made as a result of collective bargaining by representatives of employees, if the duties of the employee necessitate irregular hours of work, and the contract or agreement includes the following:

(1) Specifies a regular rate of pay of not less than the minimum hourly rate provided in subsections (c), (h), (i), ~~and (j), (k), (l), (m), (n), and (p)~~ (whichever is applicable) and compensation at not less than one and one-half (1.5) times that rate for all hours worked in excess of the maximum work week.

(2) Provides a weekly guaranty of pay for not more than sixty (60) hours based on the rates so specified.

~~(o)~~ (u) No employer shall be considered to have violated subsection ~~(k)~~ (q) by employing any employee for a work week in excess of the maximum work week applicable to the employee under that subsection if, pursuant to an agreement or understanding arrived at between the employer and the employee before performance of the work, the amount paid to the employee for the number of hours worked by the employee in the work week in excess of the maximum work week applicable to the employee under that subsection:

(1) in the case of an employee employed at piece rates, is computed at piece rates not less than one and one-half (1.5) times the bona fide piece rates applicable to the same work when performed during nonovertime hours;

(2) in the case of an employee performing two (2) or more kinds of work for which different hourly or piece rates have been established, is computed at rates not less than one and one-half (1.5) times those bona fide rates applicable to the same work when performed during nonovertime hours; or

(3) is computed at a rate not less than one and one-half (1.5) times the rate established by the agreement or understanding as the basic rate to be used in computing overtime compensation thereunder, provided that the rate

so established shall be substantially equivalent to the average hourly earnings of the employee, exclusive of overtime premiums, in the particular work over a representative period of time;

and if the employee's average hourly earnings for the work week exclusive of payments described in this section are not less than the minimum hourly rate required by applicable law, and extra overtime compensation is properly computed and paid on other forms of additional pay required to be included in computing the regular rate.

~~(p)~~ (v) Extra compensation paid as described in this section shall be creditable toward overtime compensation payable pursuant to this section.

~~(q)~~ (w) No employer shall be considered to have violated subsection ~~(k)~~ (q) by employing any employee of a retail or service establishment for a work week in excess of the applicable work week specified therein, if:

(1) the regular rate of pay of the employee is in excess of one and one-half (1.5) times the minimum hourly rate applicable to the employee under section 2 of this chapter; and

(2) more than half of the employee's compensation for a representative period (not less than one (1) month) represents commissions on goods or services.

In determining the proportion of compensation representing commissions, all earnings resulting from the application of a bona fide commission rate shall be considered commissions on goods or services without regard to whether the computed commissions exceed the draw or guarantee.

~~(r)~~ (x) No employer engaged in the operation of a hospital or an establishment which is an institution primarily engaged in the care of the sick, the aged, or individuals with a mental illness or defect who reside on the premises shall be considered to have violated subsection ~~(k)~~ (q) if, pursuant to an agreement or understanding arrived at between the employer and the employee before performance of the work, a work period of fourteen (14) consecutive days is accepted in lieu of the work week of seven (7) consecutive days for purposes of overtime computation and if, for the employee's employment in excess of eight (8) hours in any workday and in excess of eighty (80) hours in that fourteen (14) day period, the employee receives compensation at a rate not less than one and one-half (1.5) times the regular rate at which the employee is employed.

~~(s)~~ (y) No employer shall employ any employee in domestic service in one (1) or more households for a work week longer than forty (40) hours unless the employee receives compensation for that employment in accordance with subsection ~~(k)~~ (q).

~~(t)~~ (z) In the case of an employee of an employer engaged in the business of operating a street, a suburban or interurban electric railway, or a local trolley or motorbus carrier (regardless of whether or not the railway or carrier is public or private or operated for profit or not for profit), in determining the hours of employment of such an employee to which the rate prescribed by subsection ~~(k)~~ (q) applies, there shall be excluded the hours the

employee was employed in charter activities by the employer if both of the following apply:

- (1) The employee's employment in the charter activities was pursuant to an agreement or understanding with the employer arrived at before engaging in that employment.
- (2) If employment in the charter activities is not part of the employee's regular employment.

~~(t)~~ **(aa)** Any employer may employ any employee for a period or periods of not more than ten (10) hours in the aggregate in any work week in excess of the maximum work week specified in subsection ~~(k)~~ **(q)** without paying the compensation for overtime employment prescribed in subsection ~~(k)~~; **(q)**, if during that period or periods the employee is receiving remedial education that:

- (1) is provided to employees who lack a high school diploma or educational attainment at the eighth grade level;
- (2) is designed to provide reading and other basic skills at an eighth grade level or below; and
- (3) does not include job specific training.

~~(v)~~ **(ab)** Subsection ~~(k)~~ **(q)** does not apply to an employee of a motion picture theater.

~~(w)~~ **(ac)** Subsection ~~(k)~~ **(q)** does not apply to an employee of a seasonal amusement or recreational establishment, an organized camp, or a religious or nonprofit educational conference center that is exempt under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 213).".

Renumber all SECTIONS consecutively.
(Reference is to EHB 1001 as printed February 26, 2014.)

STOOPS

Upon request of Senator Stoops the President ordered the roll of the Senate to be called. Roll Call 249: yeas 15, nays 34. Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1009

Senator Steele called up Engrossed House Bill 1009 for second reading. The bill was reread a second time by title.

SENATE MOTION
(Amendment 1009-1)

Madam President: I move that Engrossed House Bill 1009 be amended to read as follows:

Page 4, delete lines 11 through 12, begin a new line block indented and insert:

- "(2) the use of a monitoring device with respect to a person required to be tracked or monitored:**
- (A) as a condition of bail;**
 - (B) as a condition of probation, parole, or community corrections;**
 - (C) as a requirement of sex offender registration; or**
 - (D) as part of a sentence imposed for a crime."**

(Reference is to EHB 1009 as printed February 21, 2014.)

STEELE

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1035

Senator Charbonneau called up Engrossed House Bill 1035 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1037

Senator Crider called up Engrossed House Bill 1037 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1041

Senator Paul called up Engrossed House Bill 1041 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1058

Senator Walker called up Engrossed House Bill 1058 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1080

Senator Hershman called up Engrossed House Bill 1080 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1097

Senator Patricia Miller called up Engrossed House Bill 1097 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1104

Senator Wyss called up Engrossed House Bill 1104 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1121

Senator Hershman called up Engrossed House Bill 1121 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1121-1)

Madam President: I move that Engrossed House Bill 1121 be amended to read as follows:

Page 3, between lines 28 and 29, begin a new paragraph and insert:

- "(e) The statewide code of judicial conduct for administrative law judges shall be enforced under IC 4-21.5. The inspector general is not responsible for enforcing the statewide code of judicial conduct for administrative law judges or for investigating a possible violation of the statewide code."**

(Reference is to EHB 1121 as printed February 21, 2014.)

STEELE

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1123

Senator Walker called up Engrossed House Bill 1123 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1139

Senator Patricia Miller called up Engrossed House Bill 1139 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1139-1)

Madam President: I move that Engrossed House Bill 1139 be amended to read as follows:

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

"SECTION 1. IC 25-20-1-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 25. (a) This section applies only to a registrant who has held a certificate issued under this chapter for at least eighteen (18) months.

(b) To renew a hearing aid dealer certificate of registration issued under this chapter, a registrant must complete at least twenty (20) hours of credit in continuing education courses.

(c) To satisfy the requirements of subsection (b), a registrant may use only credit hours earned in continuing education courses completed by the registrant:

- (1) after the last date the registrant renewed a certificate under this chapter; or
- (2) if the registrant is renewing a certificate for the first time, after the date the registrant was issued the certificate under this chapter.

(d) A registrant may receive credit only for completing continuing education courses that have been approved by the committee, the American Speech-Language-Hearing Association, or the ~~National~~ **International** Institute for Hearing Instrument Studies.

(e) When a registrant renews a certificate issued under this chapter, the registrant must comply with IC 25-1-4-3."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1139 as printed February 26, 2014.)

PATRICIA MILLER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1141

Senator Head called up Engrossed House Bill 1141 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1141-2)

Madam President: I move that Engrossed House Bill 1141 be

amended to read as follows:

Page 3, line 8, after "department." insert "**If methamphetamine is manufactured in an apartment that is a unit of a multi-unit apartment complex, the department shall publish only the address, including the apartment number, of the particular apartment in which the methamphetamine was manufactured.**"

(Reference is to EHB 1141 as printed February 26, 2014.)

HEAD

Motion prevailed.

SENATE MOTION
(Amendment 1141-1)

Madam President: I move that Engrossed House Bill 1141 be amended to read as follows:

Page 6, after line 32, begin a new paragraph and insert:

"SECTION 6. IC 35-50-5-3, AS AMENDED BY P.L.73-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) Except as provided in subsection (i), (j), (l), or (m), in addition to any sentence imposed under this article for a felony or misdemeanor, the court may, as a condition of probation or without placing the person on probation, order the person to make restitution to the victim of the crime, the victim's estate, or the family of a victim who is deceased. The court shall base its restitution order upon a consideration of:

- (1) property damages of the victim incurred as a result of the crime, based on the actual cost of repair (or replacement if repair is inappropriate);
- (2) medical and hospital costs incurred by the victim (before the date of sentencing) as a result of the crime;
- (3) the cost of medical laboratory tests to determine if the crime has caused the victim to contract a disease or other medical condition;
- (4) earnings lost by the victim (before the date of sentencing) as a result of the crime including earnings lost while the victim was hospitalized or participating in the investigation or trial of the crime; and
- (5) funeral, burial, or cremation costs incurred by the family or estate of a homicide victim as a result of the crime.

(b) A restitution order under subsection (a), (i), (j), (l), or (m), is a judgment lien that:

- (1) attaches to the property of the person subject to the order;
- (2) may be perfected;
- (3) may be enforced to satisfy any payment that is delinquent under the restitution order by the person in whose favor the order is issued or the person's assignee; and
- (4) expires;

in the same manner as a judgment lien created in a civil proceeding.

(c) When a restitution order is issued under subsection (a), the issuing court may order the person to pay the restitution, or part of the restitution, directly to:

(1) the victim services division of the Indiana criminal justice institute in an amount not exceeding:

(A) the amount of the award, if any, paid to the victim under IC 5-2-6.1; and

(B) the cost of the reimbursements, if any, for emergency services provided to the victim under IC 16-10-1.5 (before its repeal) or IC 16-21-8; or

(2) a probation department that shall forward restitution or part of restitution to:

(A) a victim of a crime;

(B) a victim's estate; or

(C) the family of a victim who is deceased.

The victim services division of the Indiana criminal justice institute shall deposit the restitution it receives under this subsection in the violent crime victims compensation fund established by IC 5-2-6.1-40.

(d) When a restitution order is issued under subsection (a), (i), (j), (l), or (m), the issuing court shall send a certified copy of the order to the clerk of the circuit court in the county where the felony or misdemeanor charge was filed. The restitution order must include the following information:

(1) The name and address of the person that is to receive the restitution.

(2) The amount of restitution the person is to receive.

Upon receiving the order, the clerk shall enter and index the order in the circuit court judgment docket in the manner prescribed by IC 33-32-3-2. The clerk shall also notify the department of insurance of an order of restitution under subsection (i).

(e) An order of restitution under subsection (a), (i), (j), (l), or (m), does not bar a civil action for:

(1) damages that the court did not require the person to pay to the victim under the restitution order but arise from an injury or property damage that is the basis of restitution ordered by the court; and

(2) other damages suffered by the victim.

(f) Regardless of whether restitution is required under subsection (a) as a condition of probation or other sentence, the restitution order is not discharged by the completion of any probationary period or other sentence imposed for a felony or misdemeanor.

(g) A restitution order under subsection (a), (i), (j), (l), or (m), is not discharged by the liquidation of a person's estate by a receiver under IC 32-30-5 (or IC 34-48-1, IC 34-48-4, IC 34-48-5, IC 34-48-6, IC 34-1-12, or IC 34-2-7 before their repeal).

(h) The attorney general may pursue restitution ordered by the court under subsections (a) and (c) on behalf of the victim services division of the Indiana criminal justice institute established under IC 5-2-6-8.

(i) The court may order the person convicted of an offense

under IC 35-43-9 to make restitution to the victim of the crime. The court shall base its restitution order upon a consideration of the amount of money that the convicted person converted, misappropriated, or received, or for which the convicted person conspired. The restitution order issued for a violation of IC 35-43-9 must comply with subsections (b), (d), (e), and (g), and is not discharged by the completion of any probationary period or other sentence imposed for a violation of IC 35-43-9.

(j) The court may order the person convicted of an offense under IC 35-43-5-3.5 to make restitution to the victim of the crime, the victim's estate, or the family of a victim who is deceased. The court shall base its restitution order upon a consideration of the amount of fraud or harm caused by the convicted person and any reasonable expenses (including lost wages) incurred by the victim in correcting the victim's credit report and addressing any other issues caused by the commission of the offense under IC 35-43-5-3.5. If, after a person is sentenced for an offense under IC 35-43-5-3.5, a victim, a victim's estate, or the family of a victim discovers or incurs additional expenses that result from the convicted person's commission of the offense under IC 35-43-5-3.5, the court may issue one (1) or more restitution orders to require the convicted person to make restitution, even if the court issued a restitution order at the time of sentencing. For purposes of entering a restitution order after sentencing, a court has continuing jurisdiction over a person convicted of an offense under IC 35-43-5-3.5 for five (5) years after the date of sentencing. Each restitution order issued for a violation of IC 35-43-5-3.5 must comply with subsections (b), (d), (e), and (g), and is not discharged by the completion of any probationary period or other sentence imposed for an offense under IC 35-43-5-3.5.

(k) The court shall order a person convicted of an offense under IC 35-42-3.5 to make restitution to the victim of the crime in an amount equal to the greater of the following:

(1) The gross income or value to the person of the victim's labor or services.

(2) The value of the victim's labor as guaranteed under the minimum wage and overtime provisions of:

(A) the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201-209); or

(B) IC 22-2-2 (Minimum Wage);

whichever is greater.

(l) The court shall order a person who:

(1) is convicted of dealing in methamphetamine under ~~IC 35-48-4-1.1(a)(1)(A)~~; **IC 35-48-4-1.1**; and

(2) manufactured the methamphetamine on property owned by another person, without the consent of the property owner;

to pay liquidated damages to the property owner in the amount of ten thousand dollars (\$10,000) **or to pay actual damages to the property owner, including lost rent and the costs of decontamination by an inspector approved under IC 13-14-1-15.**

(m) The court shall order a person who:

(1) is convicted of dealing in marijuana under IC 35-48-4-10(a)(1)(A); and
 (2) manufactured the marijuana on property owned by another person, without the consent of the property owner; to pay liquidated damages to the property owner in the amount of two thousand dollars (\$2,000)."

(Reference is to EHB 1141 as printed February 26, 2014.)

PATRICIA MILLER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1170

Senator Boots called up Engrossed House Bill 1170 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1183

Senator Charbonneau called up Engrossed House Bill 1183 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 1183-1)

Madam President: I move that Engrossed House Bill 1183 be amended to read as follows:

Page 2, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 3. IC 13-11-2-158, AS AMENDED BY P.L.114-2012, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 158. (a) "Person", for purposes of:

- (1) IC 13-21;
- (2) air pollution control laws;
- (3) water pollution control laws; and
- (4) environmental management laws, except as provided in subsections (c), (d), and (e);

means an individual, a partnership, a copartnership, a firm, a company, a corporation, an association, a joint stock company, a trust, an estate, a municipal corporation, a city, a school city, a town, a school town, a school district, a school corporation, a county, any consolidated unit of government, political subdivision, state agency, a contractor, or any other legal entity.

(b) "Person", for purposes of:

- (1) IC 13-18-10;
- (2) IC 13-18-10.5;
- (3) IC 13-20-10.5; and
- (4) IC 13-20-17;

means an individual, a partnership, a copartnership, a firm, a company, a corporation, an association, a joint stock company, a trust, an estate, a political subdivision, a state agency, or other legal entity, or their legal representative, agent, or assigns.

(c) "Person", for purposes of:

- (1) IC 13-20-13;
- (2) IC 13-20-14;
- (3) IC 13-20-16; and

(4) IC 13-25-6;

means an individual, a corporation, a limited liability company, a partnership, or an unincorporated association.

(d) "Person", for purposes of IC 13-20-25, means an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a solid waste management district established under IC 13-21.

~~(d)~~ **(e) "Person", for purposes of IC 13-23, has the meaning set forth in subsection (a). The term includes a consortium, a joint venture, a commercial entity, and the United States government.**

~~(e)~~ **(f) "Person", for purposes of IC 13-20-17.5 and IC 13-25-3, means an individual, a corporation, a limited liability company, a partnership, a trust, an estate, or an unincorporated association.**

~~(f)~~ **(g) "Person", for purposes of IC 13-26, means an individual, a firm, a partnership, an association, a limited liability company, or a corporation other than an eligible entity.**

~~(g)~~ **(h) "Person", for purposes of IC 13-29-1, means any individual, corporation, business enterprise, or other legal entity either public or private and any legal successor, representative, agent, or agency of that individual, corporation, business enterprise, or legal entity."**

Page 5, line 1, delete "or".

Page 5, line 17, after "25-37.5-1-1(b);" insert "or".

Page 5, between lines 17 and 18, begin a new line block indented and insert:

"(3) who:

(A) is not required to submit a recycling activity report under section 9 of this chapter; but

(B) took action during a fiscal year to recover, from the solid waste stream, for purposes of:

- (i) use or reuse;**
- (ii) conversion into raw materials; or**
- (iii) use in the production of new products; materials that were not municipal waste;"**

Page 5, line 22, delete "written".

Page 5, line 23, delete "to the environmental".

Page 5, line 24, delete "quality service council".

Page 7, line 9, delete "environmental" and insert **"executive director of the legislative services agency, in an electronic format under IC 5-14-6, a"**.

Page 7, line 10, delete "quality service council established by IC 13-13-7-1 a written".

Page 7, line 13, after "ended." insert **"The executive director of the legislative services agency shall forward the report to the members of the standing committees of the senate and the house having subject matter jurisdiction most closely related to the subject of recycling."**

Page 7, between lines 15 and 16, begin a new paragraph and insert:

"Sec. 16. (a) The general assembly urges the legislative council to assign to the appropriate study committee for the 2014 interim period the tasks set forth in this section."

Page 7, line 16, delete "Sec. 16. (a)" and insert **"(b)"**.

Page 7, line 16, delete "environmental" and insert "appropriate study committee assigned the task under subsection (a)".

Page 7, line 17, delete "quality service council established by IC 13-13-7-1".

Page 7, line 27, delete "most effectively contribute to" and insert "help to increase the rate of recycling in Indiana."

Page 7, delete lines 28 through 29.

Page 7, line 32, delete "most effectively" and insert "help to increase the rate of recycling in Indiana."

Page 7, delete lines 33 through 34.

Page 7, line 37, delete "most effectively contribute to" and insert "help to increase the rate of recycling in Indiana."

Page 7, delete lines 38 through 39.

Page 7, line 41, delete "waste, including incineration and the use of waste-to-energy" and insert "waste".

Page 8, line 1, delete "facilities,".

Page 8, line 1, delete "to the" and insert "to increasing the rate of recycling in Indiana."

Page 8, delete line 2.

Page 8, line 3, delete "(b)" and insert "(c)".

Page 8, line 3, delete "(a)" and insert "(b)".

Page 8, line 4, delete "environmental" and insert "study committee".

Page 8, line 5, delete "quality service council".

Page 8, line 6, delete "(a)(1)" and insert "(b)(1)".

Page 8, line 6, delete "(a)(5)," and insert "(b)(5)".

Page 8, delete lines 12 through 17.

Page 8, line 18, delete "(e)" and insert "(d)".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1183 as printed February 26, 2014.)

CHARBONNEAU

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1187

Senator Charbonneau called up Engrossed House Bill 1187 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1187-1)

Madam President: I move that Engrossed House Bill 1187 be amended to read as follows:

Page 2, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 2. IC 8-1-2-70, AS AMENDED BY P.L.251-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 70. In its order upon any investigation made under the provisions of this chapter, or IC 8-1.5-3, or IC 8-1.5-6, either upon complaint against any municipal utility, or upon the petition of any such municipal utility, or upon the initiation of the commission, the commission shall ascertain and declare the expenses incurred by it upon such investigation, and the municipal utility affected

thereby shall pay into the commission public utility fund account described in IC 8-1-6-2 the amount of the expenses, so ascertained and declared, within a time to be fixed in the order, not exceeding twenty (20) days from the date thereof. The commission shall cause a certified copy of all such orders to be delivered to an officer or agent of the municipal utility affected thereby, and all such orders shall, of their own force, take effect and become operative twenty (20) days after service thereof unless a different time be provided in said order. Any order of the commission as may increase any rate of such municipal utility shall not take effect until such expenses are paid into the commission public utility fund account described in IC 8-1-6-2."

Page 8, line 8, delete "with the commission".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1187 as printed February 26, 2014.)

CHARBONNEAU

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1206

Senator Paul called up Engrossed House Bill 1206 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1217

Senator Yoder called up Engrossed House Bill 1217 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1217-3)

Madam President: I move that Engrossed House Bill 1217 be amended to read as follows:

Delete the title and insert the following:

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

Page 1, delete lines 1 through 16.

Page 2, delete lines 1 through 16.

Page 2, line 17, delete "Sec. 2." and insert "SECTION 1. IC 14-28-1-37 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 37."

Page 2, line 17, delete "of natural resources".

Page 2, line 19, delete "program under which the agencies".

Page 2, line 20, delete "will jointly accept and process applications" and insert "process to improve efficiency and transparency in programs".

Page 2, line 27, delete "of the department of natural".

Page 2, line 28, delete "resources".

Page 2, line 30, delete "Sec. 3." and insert "SECTION 2. IC 14-28-1-38 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 38."

Page 2, line 30, delete "program" and insert "process".

Page 2, line 30, delete "2" and insert "37".

Page 2, line 31, delete "agencies" and insert "**department and the department of environmental management**".

Page 2, line 34, delete "wetland work" and insert "**work described in section 37 of this chapter**".

Page 2, line 34, after "for the" delete "wetland".

Page 2, line 37, delete "wetland".

Page 2, line 37, after "every" insert "**state**".

Page 2, line 38, delete "wetland".

Page 2, line 40, delete "and".

Page 2, line 41, after "processes;" insert "**or**".

Page 2, between lines 41 and 42, begin a new line double block indented and insert:

"(C) application forms and application processes;".

Page 2, line 42, delete "agencies" and insert "**department and the department of environmental management**".

Page 3, line 1, delete "to perform wetland" and insert "**the**".

Page 3, line 3, delete "both agencies." and insert "**the department and the department of environmental management.**".

Page 3, line 4, delete "one (1) agency will" and insert "**either the department or the department of environmental management may**".

Page 3, line 5, after "applicants" insert "**who do not need to have independent contact with the department or the department of environmental management**".

Page 3, line 11, delete "each agency" and insert "**the department and the department of environmental management**".

Page 3, delete lines 15 through 21.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1217 as printed February 19, 2014.)

YODER

Motion prevailed.

SENATE MOTION
(Amendment 1217-1)

Madam President: I move that Engrossed House Bill 1217 be amended to read as follows:

Delete the title and insert the following:

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

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

"SECTION 1. IC 13-18-19-3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3. (a) A municipal park water feature that:**

- (1) was initially operated before January 1, 2010;**
- (2) uses water from a municipal potable water supply (whether provided by the municipality or by a utility) as its primary source of water;**
- (3) operates with flowing water from the municipal potable water supply for six (6) or fewer months in any calendar year; and**

(4) is located in a municipality having a population of between twenty thousand (20,000) and thirty-five thousand (35,000);

is not a point source discharge, and an NPDES permit may not be required for the operation of the municipal park water feature, if the municipality in which the municipal park water feature is located, or the parks board of the municipality, notifies the department before August 1, 2014, that it wishes the municipal park water feature to be subject to this section.

(b) Before December 31 of each calendar year, a municipality or municipal parks board that has notified the department under subsection (a) that it wishes a municipal park water feature to be subject to this section shall transmit to the department a statement setting forth the steps taken by the municipality or board during the year to ensure that the municipal park water feature did not become a source of pollution."

Page 3, after line 21, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE UPON PASSAGE] **(a) The general assembly urges the legislative council to assign to the appropriate committee for study during the 2014 legislative interim the topic of state regulation of water park features.**

(b) This SECTION expires December 31, 2014.

SECTION 4. **An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

(Reference is to EHB 1217 as printed February 19, 2014.)

HERSHMAN

Motion prevailed.

SENATE MOTION
(Amendment 1217-2)

Madam President: I move that Engrossed House Bill 1217 be amended to read as follows:

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

"SECTION 1. IC 13-11-2-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 2.5. "Agricultural waste-to-energy system", for purposes of IC 13-17-3-16, has the meaning set forth in IC 13-17-3-16(b).**

SECTION 2. IC 13-17-3-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 16. (a) This section applies to an agricultural waste-to-energy system that:**

(1) is located on the site of:

- (A) a confined feeding operation; or**
- (B) a concentrated animal feeding operation; and**
- (2) each year, processes at least fifty percent (50%) of the manure produced by the confined feeding operation or concentrated animal feeding operation referred to in subdivision (1).**

(b) As used in this section, "agricultural waste-to-energy system" means a system that:

- (1) converts manure into energy; and
- (2) may produce other useful products.

The term includes an anaerobic digester system that converts manure into methane that can be used in the generation of electricity.

(c) For purposes of this section, an agricultural waste-to-energy system consisting of an anaerobic digester system described in subsection (b) includes the following parts of the anaerobic digester system:

- (1) The manure digester.
- (2) Any flares or associated burners.
- (3) Any generator engines.

(d) A permit is not required for the construction or operation of an agricultural waste-to-energy system described in subsection (a) unless:

- (1) the total actual emissions (rather than potential emissions) of the agricultural waste-to-energy system of any pollutant that is a regulated air pollutant under the federal Clean Air Act (42 U.S.C. 7401 et seq.) exceeds the threshold limit beyond which a permit is required for emissions of the pollutant under Title V of the federal Clean Air Act (42 U.S.C. 7661 through 7661f); or
- (2) the area in which the agricultural waste-to-energy system is located is designated by the U.S. Environmental Protection Agency as a nonattainment area with respect to a pollutant emitted by the agricultural waste-to-energy system."

Page 3, after line 21, begin a new paragraph and insert:

"SECTION 4. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1217 as printed February 19, 2014.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1219

Senator Wyss 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 1224

Senator Holdman called up Engrossed House Bill 1224 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1234

Senator Pete Miller called up Engrossed House Bill 1234 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1234-1)

Madam President: I move that Engrossed House Bill 1234 be amended to read as follows:

Page 1, line 3, reset in roman "The".

Page 1, line 3, delete "If an".

Page 1, delete line 5.

Page 1, line 6, delete "2014, and the property" and insert "that".

Page 1, line 6, reset in roman "a".

Page 1, line 6, delete "the".

Page 1, line 7, delete "on the assessment date, the owner (or in the case of)".

Page 1, line 8, delete "residential property the owner that installed the system)".

Page 1, line 11, delete "except in the case of".

Page 1, line 12, delete "residential property)" and insert "except as provided in subsection (e)".

Page 2, between lines 13 and 14, begin a new paragraph and insert:

"(e) This subsection applies to a deduction claimed under this section for a solar energy heating or cooling system that is installed for the first time after December 31, 2014, on property classified as residential property. In such a case, only the property owner that installed the system is entitled to a deduction under this section. If the ownership of the property changes, the county auditor shall remove the deduction."

Page 2, line 28, delete "The If an" and insert "Except as provided in subsection (d), the".

Page 2, line 29, reset in roman "that".

Page 2, line 29, delete "installs a wind power device after".

Page 2, line 30, delete "December 31, 2014, and the property".

Page 2, line 30, reset in roman "a".

Page 2, line 30, delete "the wind" and insert "wind".

Page 2, line 31, delete "on the assessment date, the owner (or in the case of)".

Page 2, line 32, delete "residential property the owner that installed the device)".

Page 2, between lines 38 and 39, begin a new paragraph and insert:

"(d) This subsection applies to a deduction claim under this section for a wind power device that is installed for the first time after December 31, 2014, on property classified as residential property. In such a case, only the property owner that installed the device is entitled to a deduction under this section. If the ownership of the property changes, the county auditor shall remove the deduction."

Page 3, line 3, delete "The If an" and insert "Except as provided in subsection (d), the".

Page 3, line 4, reset in roman "that".

Page 3, line 4, delete "installs a hydroelectric power device".

Page 3, line 5, delete "after December 31, 2014, and the property".

Page 3, line 5, delete "a the" and insert "a".

Page 3, line 6, delete "on the assessment date, the owner (or in".

Page 3, delete line 7.

Page 3, between lines 18 and 19, begin a new paragraph and insert:

"(d) This subsection applies to a deduction claim under this section for a hydroelectric power device that is installed for the first time after December 31, 2014, on property classified as residential property. In such a case, only the property owner that installed the device is entitled to a deduction under this section. If the ownership of the property changes, the county auditor shall remove the deduction."

Page 3, line 26, delete "The If an" and insert **"Except as provided in subsection (d), the"**.

Page 3, line 27, reset in roman "that".

Page 3, line 27, delete "installs a geothermal energy heating".

Page 3, line 28, delete "or cooling device after December 31, 2014, and the property".

Page 3, line 29, reset in roman "a".

Page 3, line 29, delete "the".

Page 3, line 29, delete "on".

Page 3, delete line 30.

Page 3, line 31, delete "property the owner that installed the device)".

Page 3, line 33, beginning with "(1)" begin a new line block indented.

Page 3, line 34, after "geothermal" insert **"energy"**.

Page 3, line 34, beginning with "(2)" begin a new line block indented.

Page 3, line 36, after "geothermal" insert **"energy"**.

Page 3, between lines 41 and 42, begin a new paragraph and insert:

"(d) This subsection applies to a deduction claim under this section for a geothermal energy heating or cooling device that is installed for the first time after December 31, 2014, on property classified as residential property. In such a case, only the property owner that installed the device is entitled to a deduction under this section. If the ownership of the property changes, the county auditor shall remove the deduction."

(Reference is to EHB 1234 as printed February 21, 2014.)

PETE MILLER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1269

Senator M. Young called up Engrossed House Bill 1269 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1307

Senator Yoder called up Engrossed House Bill 1307 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1307-1)

Madam President: I move that Engrossed House Bill 1307 be

amended to read as follows:

Page 12, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 26. IC 14-22-31-6 IS REPEALED [EFFECTIVE JULY 1, 2014]. Sec. 6: Upon receipt of a license, the licensee shall post the licensed area at intervals of not more than five hundred (500) feet with signs to be prescribed by rule. The boundaries of the shooting preserve shall be clearly defined by fences of at least one (1) strand of wire."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1307 as printed February 26, 2014.)

YODER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1343

Senator Buck called up Engrossed House Bill 1343 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1384

Senator Waltz called up Engrossed House Bill 1384 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1385

Senator Schneider called up Engrossed House Bill 1385 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

SENATE MOTION

Madam President: I move that the Senate suspend Senate Rule 79(b) and that no House bill or joint resolution amending the Constitution shall be called for third reading in the Senate after March 5, 2014.

HERSHMAN

Motion prevailed.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred the motion of Senator Hershman requesting suspension of Senate Rule 79(b) and for the deadline for the Senate to call House bills or joint resolutions for third reading during the second regular session of the 118th General Assembly to be March 5, 2014, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said motion be adopted.

LONG, Chair

Report adopted.

**ENGROSSED HOUSE BILLS
ON THIRD READING**

Engrossed House Bill 1002

Senator Kenley called up Engrossed House Bill 1002 for third reading:

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

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

Roll Call 250: yeas 49, 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 1004

Senator Pete Miller called up Engrossed House Bill 1004 for third reading:

A BILL FOR AN ACT concerning human services.

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

Roll Call 251: yeas 44, nays 5. 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 1020

Senator Hershman called up Engrossed House Bill 1020 for third reading:

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

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

Roll Call 252: yeas 41, nays 8. 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 1062

Senator Pete Miller called up Engrossed House Bill 1062 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 253: yeas 49, 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 1064

Senator Yoder called up Engrossed House Bill 1064 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 254: yeas 49, 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.

**REPORT OF THE SENATE
COMMITTEE ON ETHICS**

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on February 27, 2014, to render an advisory opinion with regard to Senator Head's request that the Committee consider whether or not he has a conflict of interest pertaining to House Bill 1075, which would require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Walker, Chair; Steele, Grooms, Hume, Arnold, and Breaux.

The Senate Committee on Ethics has considered the facts presented by Senator Head and hereby recommends that Senator Head be excused from participation in all votes pertaining to House Bill 1075, because of his potential conflict of interest with regard to the legislation. The vote of the Committee was 6-0.

WALKER, Chair

Report adopted.

**ENGROSSED HOUSE BILLS
ON THIRD READING**

Engrossed House Bill 1075

Senator Walker called up Engrossed House Bill 1075 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 255: yeas 39, nays 8. 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 1099

Senator Charbonneau called up Engrossed House Bill 1099 for third reading:

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

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

Roll Call 256: yeas 48, 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 1107

Senator Banks called up Engrossed House Bill 1107 for third reading:

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

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

Roll Call 257: yeas 48, 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 1119

Senator Holdman called up Engrossed House Bill 1119 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 258: yeas 48, 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 1198

Senator Holdman called up Engrossed House Bill 1198 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 259: yeas 48, 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 1216

Senator Head called up Engrossed House Bill 1216 for third reading:

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

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

Roll Call 260: yeas 39, nays 9. 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 1222

Senator Yoder called up Engrossed House Bill 1222 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 261: yeas 48, 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 1306

Senator Holdman called up Engrossed House Bill 1306 for third reading:

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

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

Roll Call 262: yeas 38, nays 10. 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 1319

Senator Kruse called up Engrossed House Bill 1319 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 263: yeas 48, 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 1342

Senator Charbonneau called up Engrossed House Bill 1342 for third reading:

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

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

Roll Call 264: yeas 48, 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 1358

Senator Patricia Miller called up Engrossed House Bill 1358 for third reading:

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

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

Roll Call 265: yeas 45, 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 Chair instructed the Secretary to inform the House of the passage of the bill.

**MOTIONS TO DISSENT
FROM HOUSE AMENDMENTS**

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 375 and that a conference committee be appointed to confer with a like committee of the House.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 335 and that a conference committee be appointed to confer with a like committee of the House.

WALTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 260 and that a conference committee be appointed to confer with a like committee of the House.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 236 and that a conference committee be appointed to confer with a like committee of the House.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 329 and that a conference committee be appointed to confer with a like committee of the House.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 106 and that a conference committee be appointed to confer with a like committee of the House.

CHARBONNEAU

Motion prevailed.

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 84(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 375:

Conferees: Holdman, Chair and Taylor

Advisors: Head and Mrvan

LONG

Date: 2/27/2014

Time: 3:30 p.m.

Report adopted.

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 84(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 335:

Conferees: Waltz, Chair and Stoops

Advisors: Wyss, R. Young, and M. Young

LONG

Date: 2/27/2014

Time: 3:28 p.m.

Report adopted.

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 84(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 260:

Conferees: Banks, Chair and R. Young

Advisors: Holdman and Stoops

LONG

Date: 2/27/2014

Time: 3:22 p.m.

Report adopted.

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 84(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 236:

Conferees: M. Young, Chair and Randolph

Advisors: Pete Miller and Taylor

LONG

Date: 2/27/2014

Time: 3:17 p.m.

Report adopted.

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 84(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 329:

Conferees: Head, Chair and Rogers

Advisors: Bray and Randolph

LONG

Date: 2/27/2014

Time: 3:25 p.m.

Report adopted.

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 84(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 106:

Conferees: Charbonneau, Chair and R. Young

Advisors: Hershman and Tallian

LONG

Date: 2/27/2014

Time: 3:16 p.m.

Report adopted.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Resolution 51.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Resolution 40.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Resolution 52.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Resolution 47.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1162.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator R. Young be added as coauthor of Senate Resolution 47.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as second sponsor of Engrossed House Bill 1206.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Arnold, Banks, Becker, Boots, Bray, Breaux, Broden, Buck, Charbonneau, Crider, Delph, Eckerty, Glick, Grooms, Head, Hershman, Holdman, Hume, Kenley, Kruse, Lanane, Landske, Leising, Long, Merritt, Patricia Miller, Pete Miller, Mishler, Mrvan, Nugent, Paul, Randolph, Rogers, Schneider, Skinner, Smith, Steele, Stoops, Tallian, Taylor, Tomes, Walker, Waltz, Wyss, Yoder, M. Young, R. Young, and Zakas be added as cosponsors of House Concurrent Resolution 3.

WATERMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kenley be added as second sponsor of Engrossed House Bill 1001.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as second sponsor of Engrossed House Bill 1121.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second sponsor of Engrossed House Bill 1266.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as

second sponsor of Engrossed House Bill 1020.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as third sponsor and Senators Hershman and Smith be added as cosponsors of Engrossed House Bill 1351.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Waterman be added as cosponsor of Engrossed House Bill 1039.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Hume and Skinner be added as cosponsors of Engrossed House Bill 1074.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Schneider be added as second sponsor of Engrossed House Bill 1003.

SMITH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Wyss be added as second sponsor of Engrossed House Bill 1041.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as second author of Senate Resolution 51.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be added as third sponsor of Engrossed House Bill 1361.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as cosponsor of Engrossed House Bill 1303.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as cosponsor of Engrossed House Bill 1258.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second sponsor of Engrossed House Bill 1303.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as third sponsor and Senator Zakas be added as cosponsor of Engrossed House Bill 1222.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as second sponsor of Engrossed House Bill 1198.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as second sponsor of Engrossed House Bill 1064.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second sponsor of Engrossed House Bill 1204.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as

third sponsor of Engrossed House Bill 1181.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Wyss be added as second sponsor, Senator Merritt be added as third sponsor, and Senator Crider be added as cosponsor of Senate Bill 1336.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as cosponsor of Engrossed House Bill 1074.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as cosponsor of Engrossed House Bill 1104.

WYSS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as cosponsor of Engrossed House Bill 1180.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as cosponsor of Engrossed House Bill 1003.

SMITH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Wyss be added as third sponsor and Senator Becker be added as cosponsor of Engrossed House Bill 1343.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as cosponsor of Engrossed House Bill 1062.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as second sponsor and Senators Arnold, Merritt, and Breaux be added as cosponsors of Engrossed House Bill 1378.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as cosponsor of Engrossed House Bill 1009.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senate Resolution 22, be withdrawn from further consideration by the Senate.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as coauthor of Senate Resolution 48.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as cosponsor of Engrossed House Bill 1388.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as cosponsor of Engrossed House Bill 1181.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as cosponsor of Engrossed House Bill 1204.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as

cosponsor of Engrossed House Bill 1290.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as cosponsor of Engrossed House Bill 1303.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as cosponsor of Engrossed House Bill 1064.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as cosponsor of Engrossed House Bill 1319.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as cosponsor of Engrossed House Bill 1343.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as cosponsor of Engrossed House Bill 1080.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as cosponsor of Engrossed House Bill 1141.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as cosponsor of Engrossed House Bill 1041.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as cosponsor of Engrossed House Bill 1198.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1004.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1027.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1075.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1028.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1306.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1233.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1198.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1099.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1170.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1002.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, March 3, 2014.

LONG

Motion prevailed.

The Senate adjourned at 4:28 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUE ELLSPERMANN
President of the Senate