



Journal of the Senate

State of Indiana

120th General Assembly

First Regular Session

Forty-ninth Meeting Day

Thursday Afternoon

April 20, 2017

The Senate convened at 2:11 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Gurinder Singh Khalsa, Sikh Community.

The Pledge of Allegiance to the Flag was led by Senator Aaron M. Freeman.

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

Alting	Kruse
Bassler	Lanane
Becker	Leising
Bohacek	Long
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buck	Mrvan
Charbonneau	Niemeyer
Crane	Niezdowski
Crider	Perfect
Delph	Raatz
Doriot	Randolph, Lonnie M.
Eckerty	Ruckelshaus
Ford	Sandlin
Freeman	Smith, J.
Glick	Stoops
Grooms	Tallian
Head	Taylor, G.
Hershman	Tomes
Holdman	Walker
Houchin	Young, M.
Kenley	Zakas
Koch	Zay

Roll Call 487: present 50; excused 0. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

JOINT RULE 20 COMMITTEE REPORTS

COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed Senate Bill 151-2017 because it conflicts with HEA 1308-2017 without properly recognizing the existence of HEA 1308-2017, has had Engrossed Senate Bill 151-2017 under consideration and begs leave to report back to the Senate with the

recommendation that Engrossed Senate Bill 151-2017 be corrected as follows:

Page 3, line 26, after "ASSEMBLY," insert "AND AS AMENDED BY HEA 1308-2017, SECTION 25,".

Page 4, line 38, delete "(12) The state epidemiologist" and insert "(12) The state epidemiologist".

(Reference is to ESB 151 as reprinted April 4, 2017.)

LONG, Chair
LANANE, R.M.M.
MERRITT

Report adopted.

COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed House Bill 1005-2017 because it conflicts with SEA 442-2017 and HEA 1521-2017 without properly recognizing the existence of SEA 442-2017 and HEA 1521-2017, has had Engrossed House Bill 1005-2017 under consideration and begs leave to report back to the Senate with the recommendation that Engrossed House Bill 1005-2017 be corrected as follows:

Page 2, line 25, delete "P.L.169-2015," and insert "HEA 1521-2017, SECTION 10,".

Page 2, line 26, delete "SECTION 58,".

Page 2, line 38, after "alternate" insert "presidential".

Page 3, line 1, after "alternate" insert "presidential".

Page 3, line 7, delete "P.L.216-2015," and insert "SEA 442-2017, SECTION 37,".

Page 3, line 8, delete "SECTION 14,".

Page 3, line 10, delete "2016" and insert "2020".

(Reference is to EHB 1005 as printed March 28, 2017.)

LONG, Chair
LANANELANANE, R.M.M.
BUCK

Report adopted.

COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed House Bill 1281-2017 because it conflicts with HEA 1617-2017 without properly recognizing the existence of HEA 1617-2017, has had Engrossed House Bill 1281-2017 under consideration and begs leave to report back to the Senate with the recommendation that Engrossed House Bill 1281-2017 be corrected as follows:

Page 1, line 11, delete "P.L.281-2013," and insert "HEA 1617-2017, SECTION 1,".

Page 1, line 12, delete "SECTION 27,".

Page 2, between lines 2 and 3, begin a new line block indented and insert:

"(6) IC 21-14-6.5".

Page 2, line 3, delete "(6)" and insert "(7)".

Page 2, line 4, delete "(7)" and insert "(8)".

(Reference is to EHB 1281 as printed March 24, 2017.)

LONG, Chair
LANANE, R.M.M.
RAATZ

Report adopted.

COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed House Bill 1488-2017 because it conflicts with HEA 1119-2017 and HEA 1592-2017 without properly recognizing the existence of HEA 1119-2017 and HEA 1592-2017, has had Engrossed House Bill 1488-2017 under consideration and begs leave to report back to the Senate with the recommendation that Engrossed House Bill 1488-2017 be corrected as follows:

Page 2, line 35, delete "P.L.174-2016," and insert "HEA 1119-2017, SECTION 1,".

Page 2, line 36, delete "SECTION 5,".

Page 3, line 2, delete "or".

Page 3, line 3, delete "." and insert ", or manufactured homes.".

Page 35, line 9, delete "P.L.174-2016," and insert "HEA 1119-2017, SECTION 2, AND HEA 1592-2017, SECTION 1,".

Page 35, line 10, delete "SECTION 82,".

Page 35, line 11, delete "The" and insert "Subject to IC 9-32-11-20, the".

Page 35, between lines 22 and 23, begin a new line block indented and insert:

"(10) A manufactured home dealer."

(Reference is to EHB 1488 as printed March 14, 2017.)

LONG, Chair
LANANE, R.M.M.
CRIDER

Report adopted.

**REPORT OF THE
PRESIDENT PRO TEMPORE**

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed/removed/changed the following senators as Senate conferees (or advisors) on Engrossed Senate Bill 128:

Conferees: Senator Tallian to replace Senator Melton

LONG
Date: 4/19/17
Time: 4:35 p.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT
OF CONFEREE ASSIGNMENTS**

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed/removed/changed the following senators as Senate

conferees (or advisors) on Engrossed House Bill 1004:

Remove: Senator Raatz as advisor

Conferees: Senator Raatz to replace Senator Melton

LONG
Date: 4/19/17
Time: 4:35 p.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT
OF CONFEREE ASSIGNMENTS**

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed/removed/changed the following senators as Senate conferees (or advisors) on Engrossed House Bill 1133:

Remove: Senator Buck as advisor

Conferees: Senator Buck to replace Senator Tallian

LONG
Date: 4/19/17
Time: 4:35 p.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT
OF CONFEREE ASSIGNMENTS**

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed/removed/changed the following senators as Senate conferees (or advisors) on Engrossed House Bill 1406:

Remove: Senator M. Young as advisor

Conferees: Senator M. Young to replace Senator Lanane

LONG
Date: 4/19/17
Time: 4:25 p.m.

Report adopted.

SENATE MOTION

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

- SR 68 Senator Freeman
Recognizing and acknowledging the significant contributions that American Sikhs have made across the United States.
- SR 69 Senator Tallian
Urging the study of the efficacy of medical cannabis in treating medical conditions.
- SR 70 Senator Head
Congratulating the Caston Elementary School robotics teams.
- SR 71 Senator Head
Congratulating Pioneer Junior-Senior High School's robotics teams.
- HCR 85 Senator Long
Fixing the date for the First Regular Technical Session of the One Hundred Twentieth General Assembly.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 68

Senate Resolution 68, introduced by Senators Freeman and Sandlin:

A SENATE RESOLUTION recognizing and acknowledging the significant contributions that American Sikhs have made across the United States and to the State of Indiana on the occasion of Vaisakhi as "National Sikh Day".

Whereas, Sikhism is a monotheistic religion that was founded 500 years ago and believes in one omnipresent God;

Whereas, Guru Nanak was the founder and first guru of Sikhs;

Whereas, Vaisakhi is an annual event celebrated in the month of April in the punjab region of India, and American Sikhs celebrate Vaisakhi as "National Sikh Day";

Whereas, Sikhism today has a following of over 20 million people worldwide and is currently the fifth largest religion;

Whereas, Among other things, Sikhism preaches a message of devotion, truthful living, equality of mankind, and social justice;

Whereas, Key tenants of Sikhism include living the life of a householder, earning an honest living, and avoiding worldly temptations and sins;

Whereas, Sikhs believe that people of different races, religions, or sex are all equal in the eyes of God and in the full equality of men and women;

Whereas, There are nearly one million Sikhs living in the United States, and an estimated 10,000 Sikhs living in Indiana;

Whereas, The Sikh people have been living in the United States for over 100 years, and in Indiana for over 50 years;

Whereas, The Sikh place of worship is known as Gurdwara Sahib, and there are currently more than 20 Gurdwara Sahibs all over Indiana;

Whereas, A hallmark of Sikh values and tradition is the community kitchen, known as Langar. Langar is the term used in the Sikh religion for the common kitchen where food is served in all Gurdwaras to all the visitors, without distinction of faith, religion, or background, for free;

Whereas, Sikhs are one of the fastest growing business communities in Indiana;

Whereas, Indiana is home to about 3,500 Sikh-owned businesses, including gas stations, convenience stores, restaurants, and trucking and transportation businesses;

Whereas, Sikhs in the United States pursue diverse professions and walks of life, making rich contributions to the economic vibrancy of the United States as farmers, engineers, doctors, scientists, and business owners;

Whereas, Sikhs continue to make strides toward securing religious liberty as patriotic members of the United States Armed Forces;

Whereas, Sikhs have served on local, state, and federal levels of government in the United States;

Whereas, Sikhs provide significant contributions to and continue to serve our country, our state, and our communities;

Whereas, The faithful service of the Sikh community to this state and the country merits appreciation as an integral thread in the fabric of American plurality; and

Whereas, It is fitting that the Indiana Senate recognizes and acknowledges the significant contributions that American Sikhs have made across the United States, to the State of Indiana, and to local communities on the great occasion of Vaisakhi as "National Sikh Day": Therefore,

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

SECTION 1. That the Indiana Senate recognizes and acknowledges the significant contributions that American Sikhs have made across the United States and to the State of Indiana on the great occasion of Vaisakhi as "National Sikh Day".

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Gurinder Singh Khalsa, founder and chairman of SikhsPAC.

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

Senate Resolution 69

Senate Resolution 69, introduced by Senator Tallian:

A SENATE RESOLUTION urging the legislative council to assign to the appropriate study committee the topic of the efficacy of medical cannabis in treating medical conditions.

Whereas, In the State of Indiana many patients with certain medical conditions may benefit from treatment with medical cannabis; and

Whereas, A state agency or department to be determined should be responsible for administering hemp extract and or implementing a cannabidiol program, licensure and other issues related to the availability of the substance: Therefore,

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

SECTION 1. That the legislative council is urged to assign to the appropriate study committee the following issues: 1. The efficacy of medical cannabis in treating medical conditions. 2. Which agency or department should administer the medical cannabis research programs. 3. Hemp extract or cannabidiol licensure. 4. Implementation of a hemp extract or cannabidiol program, including issues related to the availability of the substance.

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

Senate Resolution 70

Senate Resolution 70, introduced by Senator Head:

A SENATE RESOLUTION congratulating the Caston Elementary School robotics teams on qualifying for the 2017 VEX IQ World Robotics Championship.

Whereas, Two Caston Elementary School robotics teams, the "RoboComets" and the "MegaComets," qualified for the VEX IQ World Robotics Championship that will take place from April 23 to April 25, 2017, in Louisville, Kentucky;

Whereas, At the World Championship, the Caston Elementary School robotics teams will compete against schools from the United States, Spain, China, Japan, and Australia;

Whereas, Caston Elementary School received a grant to purchase and start up a VEX robotics team, as did several other elementary schools in the area. Though they started as rookie robotics creators just a few months ago, the students now know how to write computer code and understand the mechanical workings on robots;

Whereas, The robotics club students have learned teamwork, problem-solving, as well as science, technology, engineering and math skills, commonly referred to as STEM;

Whereas, The Caston Elementary School robotics teams are coached by 5th grade teacher Teresa Button, retired Caston High School math teacher Bob Uhrich, and Roger Byrum, a parent and engineer;

Whereas, On Saturday, January 21, 2017, Caston's teams competed against 14 other teams from the area and placed first in both categories of the competition, "programming and skills" and "team collaboration." This performance qualified the teams for the state competition in February 2017;

Whereas, At the state competition in February 2017, the Caston robotics teams thrived once more and qualified for the World Championship - an amazing feat for a rookie robotics team;

Whereas, Students on the Caston Elementary School robotics teams say that the robotics program has given them confidence, helped their social skills, ignited their interests in math and science, and has even inspired some of them to be engineers some day; and

Whereas, It is fitting that the Indiana Senate congratulates the Caston Elementary School robotics teams on qualifying for the VEX IQ World Robotics Championship and wishes them the best of luck in the World Championship and all their future endeavors: Therefore,

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

SECTION 1. That the Indiana Senate congratulates the Caston Elementary School robotics teams on qualifying for the VEX IQ World Robotics Championship and wishes them the best of luck in the World Championship and all their future endeavors.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Cindy Douglass, Superintendent of Caston Schools, Katie Miller, Principal of Caston Elementary School, Teresa Button, Bob Uhrich, and Roger Byrum, coaches of the Caston Elementary School robotics teams, and each member of the Caston "RoboComets" and "MegaComets" robotics teams.

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

Senate Resolution 71

Senate Resolution 71, introduced by Senator Head:

A SENATE RESOLUTION congratulating Pioneer Junior-Senior High School's robotics team on qualifying for the 2017 VEX IQ World Robotics Championship.

Whereas, Pioneer Junior-Senior High School's robotics team qualified for the VEX IQ World Robotics Championship that will take place from April 23 to April 25, 2017, in Louisville, Kentucky;

Whereas, At the World Championship, the team will compete against schools from the United States, China, Japan, and Australia;

Whereas, Pioneer students say that this year's success was due in large part to the extra work they put in over the summer and on weekends;

Whereas, The Pioneer robotics club built two robots during the year, one with a scoop and one with a claw;

Whereas, The girls team qualified for the VEX IQ World Competition, and the entire club will travel to Louisville for the competition;

Whereas, Robotics competitions are a very interactive experience and an opportunity to meet students from other schools who have similar interests in robotics, mathematics, and programming;

Whereas, Through the robotics club, the students have learned teamwork and problem-solving, as well as science, technology, engineering, and math skills; and

Whereas, It is fitting that the Indiana Senate congratulates Pioneer Junior-Senior High School's robotics team on qualifying for the VEX IQ World Robotics Championship and wishes them the best of luck in the World Championship and all their future endeavors: Therefore,

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

SECTION 1. That the Indiana Senate congratulates Pioneer Junior-Senior High School's robotics team on qualifying for the VEX IQ World Robotics Championship and wishes them the best of luck in the World Championship and all their future endeavors.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Dr. David Bess, Superintendent of Pioneer Regional School Corporation, Jeremy Tucker, Principal of Pioneer Junior-Senior High School, and each team member and coach of the Pioneer Junior-Senior High School robotics program.

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

House Concurrent Resolution 85

House Concurrent Resolution 85, sponsored by Senator Long:

A CONCURRENT RESOLUTION fixing the date for the First Regular Technical Session of the One Hundred Twentieth General Assembly.

Whereas, IC 2-2.1-1-2.5 authorizes the General Assembly to fix a date for the First Regular Technical Session of the General Assembly;

Whereas, The General Assembly finds that it is in the best interest of the State of Indiana to fix a date for the Technical Session; and

Whereas, It is prudent to allow the Speaker of the House of Representatives and the President Pro Tempore of the Senate to jointly order that the Technical Session not convene if they determine the cost and inconvenience do not justify meeting in Technical Session: Therefore,

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

SECTION 1. The date for the First Regular Technical Session of the One Hundred Twentieth General Assembly is hereby fixed for Tuesday, June 20, 2017, at 1:30 p.m.

SECTION 2. The Speaker of the House of Representatives and the President Pro Tempore of the Senate may issue a joint order that the General Assembly not convene in Technical Session if they determine the cost and inconvenience of meeting in Technical Session are not justified.

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.

MESSAGE FROM THE PRESIDENT OF THE SENATE

Members of the Senate: I have on the 19th day of April, 2017, signed House Enrolled Acts: 1007, 1102, 1136, 1174, 1178, 1181, 1218, 1287, 1344, 1369, 1370 and 1537.

SUZANNE CROUCH
Lieutenant Governor

MESSAGE FROM THE PRESIDENT OF THE SENATE

Members of the Senate: I have on the 20th day of April, 2017, signed House Enrolled Act: 1519.

SUZANNE CROUCH
Lieutenant Governor

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Thursday, April 20, 2017, signed House Enrolled Acts: 1053, 1069, 1084, 1091, 1095, 1101, 1104, 1117, 1119, 1122, 1145, 1157, 1171, 1200, 1211, 1234, 1235, 1237, 1260, 1273, 1318, 1336, 1337, 1349, 1421, 1430, 1439, 1444, 1447, 1449, 1471, 1492, 1511, 1516, 1526, 1539, 1571, 1601 and 1617.

DAVID C. LONG
President Pro Tempore

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has reconsidered its dissent from the Senate amendments to Engrossed House Bill 1286 and has now concurred in those amendments.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING**Senate Resolution 52**

Senator L. Brown called up Senate Resolution 52 for second reading. The resolution was read a second time and adopted by voice vote.

**MOTIONS TO CONCUR
IN HOUSE AMENDMENTS****SENATE MOTION**

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 507.

HEAD

Roll Call 488: yeas 46, nays 4. Motion prevailed.

2:27 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 3:13 p.m., with the President of the Senate in the Chair.

**PRESIDENT PRO TEMPORE'S REPORT
OF CONFEREE ASSIGNMENTS**

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed/removed/changed the following senators as Senate conferees (or advisors) on Engrossed House Bill 1071:

Conferees: Senator Tomes to replace Senator Lonnie M. Randolph

LONG

Date: 4/20/17

Time: 11:35 a.m.

Report adopted.

**PRESIDENT PRO TEMPORE'S REPORT
OF CONFEREE ASSIGNMENTS**

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed/removed/changed the following senators as Senate conferees (or advisors) on Engrossed House Bill 1243:

Conferees: Senator Breaux to replace Senator Lonnie M. Randolph

LONG

Date: 4/20/17

Time: 2:18 p.m.

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed House Bills 1154 and 1622.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed Senate Bill 29.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Shackelford as a conferee on Engrossed House Bill 1540 and now appoints Representative Ober as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative VanNatter as advisor on Engrossed House Bill 1243.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Pryor as conferee on Engrossed House Bill 1243 and now appoints Representative VanNatter as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

REPORTS FROM COMMITTEES**COMMITTEE REPORT**

Madam President: Pursuant to Senate Rule 86(k) your Committee on Rules and Legislative Procedure to which was referred Conference Committee Reports filed on Engrossed Senate Bills 478, 408, 337 and 29 and Engrossed House Bills 1274, 1406, 1031, 1148, 1154 and 1622 has had the same under consideration and begs leave to report back to the Senate with the recommendation that said Conference Committee Reports are eligible for consideration.

LONG, Chair

Report adopted.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT

ESB 29-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 29 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-30-5-22 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 22. (a) Each:**

- (1) school corporation;**
- (2) charter school; and**
- (3) accredited nonpublic school;**

shall offer Indiana studies as a one (1) semester elective course in its high school curriculum at least once every school year.

(b) The course described in subsection (a) may be offered by the school corporation, charter school, or accredited nonpublic school through a course access program administered by the department.

SECTION 2. IC 20-32-4-12, AS ADDED BY P.L.160-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 12. (a)** Beginning with the 2017-2018 school year, a student who successfully completes Spanish language courses that include the elements set forth in subsection (b) is eligible to receive a functional and practicable workplace Spanish designation on the student's transcript for each the course described in subsection (b).

(b) The department shall develop a Spanish language courses course description and corresponding academic standards under this section that include:

~~(1) one (1) year of basic grammar and vocabulary, with a focus on the present tense and appropriate greetings; and~~
~~(2) one (1) year of additional vocabulary and conversation, with a focus on vocabulary that is necessary for various types of work environments.~~

- (1) appropriate salutations, structures, vocabulary, and conversation, with a focus on vocabulary that is necessary for various work environments;**
- (2) culturally appropriate communications for a variety of work related interactions; and**
- (3) skills related to all language domains, including:**
 - (A) speaking;**
 - (B) listening;**
 - (C) reading; and**
 - (D) writing.**

(c) A school corporation may use the courses implement a

curriculum based upon the course standards developed by the department ~~or any other courses that include the elements set forth in subsection (b)~~ to allow a student to receive a functional and practicable workplace Spanish designation on the student's transcript **upon the successful completion of the course of study.**

SECTION 3. [EFFECTIVE UPON PASSAGE] **(a) The definitions in IC 20 apply throughout this SECTION.**

(b) On or before November 1, 2017, the department shall conduct a survey and submit a report to the general assembly in an electronic format under IC 5-14-6. The report must include a summary of the results of the survey conducted under subsection (c).

(c) The department shall conduct a survey of elementary and secondary school teachers, administrators, and members of governing bodies and its equivalent for charter schools and accredited nonpublic schools. The survey must include the following:

- (1) The role of the individual surveyed, including:**
 - (A) teacher;**
 - (B) administrator; or**
 - (C) member of a governing body.**
- (2) Whether the school corporation, charter school, or accredited nonpublic school currently includes cursive writing instruction in its elementary school curriculum, and if so, the amount of instructional time allocated to cursive writing instruction.**
- (3) Whether the individual surveyed is in favor of or is opposed to mandatory instruction of cursive writing in elementary school.**
- (4) The reasons why an individual surveyed is in favor of or opposed to mandatory cursive writing instruction in elementary school.**

(d) This SECTION expires January 1, 2018.

SECTION 4. **An emergency is declared for this act.**

(Reference is to ESB 29 as printed April 3, 2017.)

Koch, Chair	Cook
Mrvan	Klinker
Senate Conferees	House Conferees

Roll Call 489: yeas 41, nays 5. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1031-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1031 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 5-11-5-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 1.5. (a) As used in this section, "audited entity" includes only the following:**

- (1) A state agency (as defined in IC 4-13-1-1).
- (2) A public hospital.
- (3) A municipality.
- (4) A body corporate and politic.
- (5) A state educational institution.
- (6) An entity to the extent that the entity is required to be examined under IC 5-11-1-9 or another law.

(b) If an examination report contains a finding that an audited entity failed to observe a uniform compliance guideline established under IC 5-11-1-24(a) or to comply with a specific law, the audited entity shall take action to address the audit finding.

(c) If a subsequent examination report of the audited entity contains a finding that is the same as or substantially similar to the finding contained in the previous examination report described in subsection (b), the public officer of the audited entity shall file a corrective action plan as a written response to the report under section 1(b) of this chapter.

(d) The state board of accounts shall create guidelines for use by an audited entity to establish a corrective action plan described in subsection (c). The guidelines must include a requirement that the issue that is the subject of a finding described in subsection (c) must be corrected not later than six (6) months after the date on which the corrective action plan is filed.

(e) After the successful completion of a corrective action plan by an audited entity that was required to file a corrective action plan under subsection (c), the audited entity shall notify the state board of accounts. The state board of accounts shall review each corrective action plan. If a corrective action plan is not implemented or the issue that is the subject of the finding is not corrected within six (6) months, the state board of accounts shall prepare a memorandum summarizing:

- (1) the examination report finding;
- (2) the corrective action plan;
- (3) the manner by which the examination report finding was or was not addressed; and
- (4) a recommended course of action.

(f) The state board of accounts shall present to the audit committee established by IC 2-5-1.1-6.3 a memorandum described in subsection (e). If the audit committee determines that further action should be taken, the audit committee may do any of the following:

- (1) Request a written statement from the public officer of the audited entity.
- (2) Request the personal attendance of the public officer of the audited entity at the next audit committee meeting.
- (3) Request that the public officer of the audited entity take corrective action.

(4) Notify the:

(A) office of management and budget (in the case of an audited entity that is a state agency, a body corporate and politic, or a state educational institution); or

(B) officer or chief executive officer, legislative body, and fiscal body of the audited entity and the department of local government finance (in the case of any other audited entity);

that the audited entity refused to correct the audited entity's failure to observe a uniform compliance guideline established under IC 5-11-1-24(a), or refused to comply with a specific law, with notice of the recommendation described in subsection (e)(4) published on the general assembly's Internet web site.

(5) Refer the facts drawn from the examination and the actions taken under this section for investigation and prosecution of a violation of IC 5-11-1-10 or IC 5-11-1-21 to the:

(A) inspector general, in the case of an audited entity that is a state agency, a body corporate and politic, or a state educational institution; or

(B) prosecuting attorney of the county in which a violation of IC 5-11-1-10 or IC 5-11-1-21 may have been committed, in the case of any other audited entity;

with notice of the referral published on the general assembly's Internet web site. Notice of a referral described in clause (B) must be sent to the officer or chief executive officer, legislative body, and fiscal body of the audited entity.

(6) Recommend that legislation be introduced in the general assembly to amend any statute under which the audited entity is found to be noncompliant.

(7) Recommend that the state board of accounts examine the audited entity within the calendar year following the year in which the audited entity was required to file a corrective action plan under subsection (c).

(Reference is to EHB 1031 as printed March 22, 2017.)

Slager, Chair	Niemeyer
Stemler	Stoops
House Conferees	Senate Conferees

Roll Call 490: yeas 49, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1148-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1148 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate

amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 16-18-2-45.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 45.5. "Cannabidiol", for purposes of IC 16-42-28.6, has the meaning set forth in IC 16-42-28.6-1.**

SECTION 2. IC 16-18-2-48.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 48.7. "Caregiver", for purposes of IC 16-42-28.6, has the meaning set forth in IC 16-42-28.6-2.**

SECTION 3. IC 16-18-2-272 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 272. (a) "Patient", for purposes of IC 16-27-1, has the meaning set forth in IC 16-27-1-6.**

(b) "Patient", for the purposes of IC 16-28 and IC 16-29, means an individual who has been accepted and assured care by a health facility.

(c) "Patient", for purposes of IC 16-36-1.5, has the meaning set forth in IC 16-36-1.5-3.

(d) "Patient", for purposes of IC 16-39, means an individual who has received health care services from a provider for the examination, treatment, diagnosis, or prevention of a physical or mental condition.

(e) "Patient", for purposes of IC 16-42-28.6, has the meaning set forth in IC 16-42-28.6-3.

SECTION 4. IC 16-18-2-282, AS AMENDED BY P.L.6-2012, SECTION 111, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 282. (a) "Physician", except as provided in subsections (b) and (c); through (d), means a licensed physician (as defined in section 202 of this chapter).**

(b) "Physician", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-7.

(c) "Physician", for purposes of IC 16-37-1-3.1 and IC 16-37-3-5, means an individual who:

- (1) was the physician last in attendance (as defined in section 282.2 of this chapter); or
- (2) is licensed under IC 25-22.5.

(d) "Physician", for purposes of IC 16-42-28.6, has the meaning set forth in IC 16-42-28.6-4.

~~(e)~~ (e) "Physician", for purposes of IC 16-48-1, is subject to IC 16-48-1-2.

SECTION 5. IC 16-18-2-342.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 342.6. "Substance containing cannabidiol", for purposes of IC 16-42-28.6, has the meaning set forth in IC 16-42-28.6-5.**

SECTION 6. IC 16-18-2-354.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 354.7.**

"Treatment resistant epilepsy", for purposes of IC 16-42-28.6, has the meaning set forth in IC 16-42-28.6-6.

SECTION 7. IC 16-42-28.6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 28.6. Drugs: Use of Cannabidiol for the Treatment of Epilepsy

Sec. 1. As used in this chapter, "cannabidiol" means 2-(6-isopropenyl-3-methyl-2-cyclohexen-1-yl)-5-pentyl-1,3-benzenediol.

Sec. 2. As used in this chapter, "caregiver" means a parent or legal guardian of an individual who has been diagnosed with treatment resistant epilepsy by a physician.

Sec. 3. As used in this chapter, "patient" refers to an individual who has been diagnosed with treatment resistant epilepsy by a physician.

Sec. 4. As used in this chapter, "physician" means an individual who:

- (1) is licensed under IC 25-22.5; and
- (2) is board certified in neurology.

Sec. 5. As used in this chapter, "substance containing cannabidiol" means a product that contains:

- (1) not more than three-tenths percent (0.3%) total tetrahydrocannabinol (THC) by weight, including its precursors and derivatives;
- (2) at least five percent (5%) cannabidiol by weight; and
- (3) no other controlled substances.

Sec. 6. As used in this chapter, "treatment resistant epilepsy" means:

- (1) Dravet syndrome;
- (2) Lennox-Gastaut syndrome; or
- (3) another form of epilepsy in a patient who has not responded to at least two (2) other epilepsy treatment options that have been provided in good faith;

if the syndrome or epilepsy has been examined and diagnosed by a physician.

Sec. 7. (a) The state department shall develop and implement a cannabidiol registry for the registration of:

- (1) patients; and
- (2) caregivers;

for the use of a substance containing cannabidiol in the treatment of patients who have been diagnosed with treatment resistant epilepsy.

(b) The cannabidiol registry must include a secure, electronic online data base that is accessible by law enforcement agencies in order to verify the registration of an individual.

(c) The state department shall register and issue an individual described in subsection (a) a registration card under this section only if the individual meets the following requirements:

- (1) The individual is:
 - (A) a caregiver at least eighteen (18) years of age; or

(B) a patient.

- (2) The individual is an Indiana resident.
- (3) The individual provides a certified statement by a physician that the patient or a patient in the care of the caregiver has been examined and diagnosed by the physician to have treatment resistant epilepsy.
- (4) The patient submits a completed registration application.
- (5) The patient pays the registration fee set by the state department.

(d) The state department shall develop the cannabidiol registration application. The registration application for a caregiver must ask for the following information:

- (1) The caregiver's name, address, and relationship to the patient.
- (2) The patient's name and address.
- (3) A copy of the caregiver's valid government issued photo identification card.
- (4) The name and business address of the physician who diagnosed the patient with treatment resistant epilepsy.
- (5) Any other relevant information the state department considers necessary to implement this section.

(e) The state department shall charge a registration fee of not more than fifty dollars (\$50) for an individual's initial registration under this section to cover the costs of implementing and administering the cannabidiol registry. The state department may adopt rules under IC 4-22-2 permitting a fee reduction or fee waiver for a patient who is indigent.

(f) Registration under this section is valid for one (1) year from the date of issuance, unless the physician requests a shorter expiration date. The state department shall renew registration under this section for an individual if the initial registration is current or has been updated by the individual and the individual continues to meet the registration requirements under this chapter. The state department shall charge a renewal fee of not more than twenty-five dollars (\$25). The state department may adopt rules under IC 4-22-2 permitting a fee reduction or fee waiver for a patient who is indigent.

(g) The state department may execute a contract with a vendor designated by the state department to perform any function associated with the administration of the cannabidiol registry.

Sec. 8. When a patient or caregiver registers for the cannabidiol registry, the state department shall contact and provide the local department of health where the patient or caregiver resides with the following information:

- (1) The name and address of the patient or caregiver.
- (2) Identifying information contained on the patient's or caregiver's registration card.
- (3) Any other information the state department determines is necessary to disclose.

Sec. 9. Subject to sections 7 through 8 of this chapter, the

state department shall maintain any medical records obtained under this chapter as confidential, and the medical records may not be disclosed to the public.

Sec. 10. (a) This section applies to an allegation that a person has violated one (1) or more of the following:

- (1) A condition of a probation.
- (2) A condition of parole.
- (3) A condition of a pretrial diversion program.
- (4) A condition of participation in a community corrections program.
- (5) A condition of participation in a forensic diversion program.
- (6) A condition of a community transition program under IC 11-10-11.5.
- (7) An order in a dispositional decree under IC 31-34-20 to participate in a family dependency drug court if the individual is a parent, guardian, or another household member of a child adjudicated a child in need of services.
- (8) A condition of an informal adjustment program.
- (9) A condition of a program authorized by the:
 - (A) judge of a problem solving court; and
 - (B) department of correction or the county sheriff.
- (10) A condition of pretrial release.

(b) It is a defense to an allegation that a person has violated a condition described in subsection (a) if:

- (1) the violation is based solely on the person's use of a substance containing cannabidiol; and
- (2) the person's use of the substance containing cannabidiol complies with this chapter.

(c) It is a defense to an allegation that a person has violated a condition described in subsection (a) that:

- (1) the violation is based solely on the person's use of a substance containing cannabidiol;
- (2) the substance containing cannabidiol has been approved by the federal Food and Drug Administration or the federal Drug Enforcement Agency as a prescription drug; and
- (3) the substance was prescribed and dispensed in accordance with the federal approval described in subdivision (2).

Sec. 11. The state department may adopt rules under IC 4-22-2 necessary to implement this chapter.

SECTION 8. IC 35-31.5-2-33.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 33.5.** "Cannabidiol", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-6.5.

SECTION 9. IC 35-31.5-2-316.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 316.9.** "Substance containing cannabidiol", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-26.7.

SECTION 10. IC 35-48-1-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS

FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 6.5. "Cannabidiol" has the meaning set forth in IC 16-42-28.6-1.**

SECTION 11. IC 35-48-1-26.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 26.7. "Substance containing cannabidiol" has the meaning set forth in IC 16-42-28.6-5.**

SECTION 12. IC 35-48-4-8.5, AS AMENDED BY P.L.208-2015, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8.5. (a) A person who keeps for sale, offers for sale, delivers, or finances the delivery of a raw material, an instrument, a device, or other object that is intended to be or that is designed or marketed to be used primarily for:

- (1) ingesting, inhaling, or otherwise introducing into the human body marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance;
- (2) testing the strength, effectiveness, or purity of marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance;
- (3) enhancing the effect of a controlled substance;
- (4) manufacturing, compounding, converting, producing, processing, or preparing marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance;
- (5) diluting or adulterating marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance by individuals; or
- (6) any purpose announced or described by the seller that is in violation of this chapter;

commits a Class A infraction for dealing in paraphernalia.

(b) A person who knowingly or intentionally violates subsection (a) commits a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated judgment or conviction under this section.

(c) This section does not apply to the following:

- (1) Items marketed for use in the preparation, compounding, packaging, labeling, or other use of marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance as an incident to lawful research, teaching, or chemical analysis and not for sale.
- (2) Items marketed for or historically and customarily used in connection with the planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, or inhaling of tobacco or any other lawful substance, **excluding the lawful possession of a substance containing cannabidiol under IC 35-48-4-11.**
- (3) A qualified entity (as defined in IC 16-41-7.5-3) that provides a syringe or needle as part of a program under IC 16-41-7.5.
- (4) Any entity or person that provides funding to a qualified entity (as defined in IC 16-41-7.5-3) to operate a

program described in IC 16-41-7.5.

SECTION 13. IC 35-48-4-11, AS AMENDED BY P.L.226-2014(ts), SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) A person who:

- (1) knowingly or intentionally possesses (pure or adulterated) marijuana, hash oil, hashish, or salvia;
- (2) knowingly or intentionally grows or cultivates marijuana; or
- (3) knowing that marijuana is growing on the person's premises, fails to destroy the marijuana plants;

commits possession of marijuana, hash oil, hashish, or salvia, a Class B misdemeanor, except as provided in subsections (b) through (c).

(b) The offense described in subsection (a) is a Class A misdemeanor if the person has a prior conviction for a drug offense.

(c) The offense described in subsection (a) is a Level 6 felony if:

- (1) the person has a prior conviction for a drug offense; and
- (2) the person possesses:
 - (A) at least thirty (30) grams of marijuana; or
 - (B) at least five (5) grams of hash oil, hashish, or salvia.

(d) It is a defense to a prosecution under subsection (a)(1) based on the possession of a substance containing cannabidiol that:

- (1) the person is a patient or caregiver registered under IC 16-42-28.6 for the use of a substance containing cannabidiol;**
- (2) the person reasonably believed that the substance possessed by the person was a substance containing cannabidiol; and**
- (3) the substance containing cannabidiol is packaged in a container labeled with the origin, volume, and concentration by weight of total THC, including its precursors and derivatives, and cannabidiol.**

(e) It is a defense to a prosecution under this section based on the possession of a substance containing cannabidiol that:

- (1) the substance containing cannabidiol has been approved by the federal Food and Drug Administration or the federal Drug Enforcement Agency as a prescription drug; and**
- (2) the substance was prescribed and dispensed in accordance with the federal approval described in subdivision (1).**

SECTION 14. **An emergency is declared for this act.**

(Reference is to EHB 1148 as reprinted April 6, 2017.)

Friend, Chair	Head
Goodin	Tallian
House Conferees	Senate Conferees

Roll Call 491: yeas 36, nays 13. Report adopted.

CONFERENCE COMMITTEE REPORT
EHB 1154-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1154 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 22-4-18-1, AS AMENDED BY P.L.171-2016, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) There is created a department under IC 22-4.1-2-1 which shall be known as the department of workforce development.

(b) The department of workforce development may **do the following**:

- (1) Administer the unemployment insurance program.
- (2) Enter into agreements with the United States government that may be required as a condition of obtaining federal funds related to activities of the department under this article.
- (3) Enter into contracts or agreements and cooperate with local governmental units or corporations, including profit or nonprofit corporations, or combinations of units and corporations to carry out the duties of the department imposed by this article, including contracts for the delegation of the department's administrative, monitoring, and program responsibilities and duties set forth in this article.

(c) The payment of unemployment insurance benefits must be made in accordance with 26 U.S.C. 3304.

(d) The department of workforce development may do all acts and things necessary or proper to carry out the powers expressly granted under this article, including the adoption of rules under IC 4-22-2.

(e) The department of workforce development may not charge any claimant for benefits for providing services under this article, except as provided in IC 22-4-17-12.

(f) The department of workforce development shall do the following:

(1) Submit a report to the general assembly in an electronic format under IC 5-14-6 and to the governor before December 1 of each year concerning the status of the unemployment compensation system, including the following:

- (A) Recommendations for maintaining the solvency of the unemployment insurance benefit fund established under IC 22-4-26-1.
- (B) Information regarding expenditures from the special employment and training services fund.

(C) Information regarding money released under IC 22-4-25-1(c).

(2) Make a presentation **before November 1 of each year** to the **budget committee at each meeting of the budget committee held before November 1, 2016; interim study committee on employment and labor (established under IC 2-5-1.3-4)** concerning the status of the unemployment compensation system, including the following:

(A) Recommendations for maintaining the solvency of the unemployment insurance benefit fund established under IC 22-4-26-1.

(B) Information regarding expenditures from the special employment and training services fund.

(C) Information regarding money released under IC 22-4-25-1(c).

(D) Any other information requested by the ~~budget committee~~: **interim study committee on employment and labor**.

(g) In addition to the duties prescribed in subsections (a) through (f), the department of workforce development shall establish, implement, and maintain a training program in the nature and dynamics of domestic and family violence for training of all employees of the department who interact with a claimant for benefits to determine whether the claim of the individual for unemployment benefits is valid and to determine that employment separations stemming from domestic or family violence are reliably screened, identified, and adjudicated and that victims of domestic or family violence are able to take advantage of the full range of job services provided by the department. The training presenters shall include domestic violence experts with expertise in the delivery of direct services to victims of domestic violence, including using the staff of shelters for battered women in the presentation of the training. The initial training shall consist of instruction of not less than six (6) hours. Refresher training shall be required annually and shall consist of instruction of not less than three (3) hours.

SECTION 2. IC 22-4-19-6, AS AMENDED BY P.L.110-2010, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) Each employing unit shall keep true and accurate records containing information the department considers necessary. These records are:

- (1) open to inspection; and
- (2) subject to being copied;

by an authorized representative of the department at any reasonable time and as often as may be necessary. The department, the review board, or an administrative law judge may require from any employing unit any verified or unverified report, with respect to persons employed by it, which is considered necessary for the effective administration of this article.

(b) Except as provided in subsections (d) and (f), information obtained or obtained from any person in the administration of this article and the records of the department relating to the

unemployment tax or the payment of benefits is confidential and may not be published or be open to public inspection in any manner revealing the individual's or the employing unit's identity, except in obedience to an order of a court or as provided in this section.

(c) A claimant or an employer at a hearing before an administrative law judge or the review board shall be supplied with information from the records referred to in this section to the extent necessary for the proper presentation of the subject matter of the appearance. ~~The department may make the information necessary for a proper presentation of a subject matter before an administrative law judge or the review board available to an agency of the United States or an Indiana state agency.~~

(d) The department may release the following information:

- (1) Summary statistical data may be released to the public.
- (2) Employer specific information known as ~~ES 202~~ **Quarterly Census of Employment and Wages** data and data resulting from enhancements made through the business establishment list improvement project may be released to the Indiana economic development corporation only for the following purposes:

- (A) The purpose of conducting a survey.
- (B) The purpose of aiding the officers or employees of the Indiana economic development corporation in providing economic development assistance through program development, research, or other methods.
- (C) Other purposes consistent with the goals of the Indiana economic development corporation and not inconsistent with those of the department, including the purposes of IC 5-28-6-7.

(3) Employer specific information known as ~~ES 202~~ **Quarterly Census of Employment and Wages** data and data resulting from enhancements made through the business establishment list improvement project may be released to:

- (A) the budget agency and the legislative services agency only for aiding the employees of the budget agency or the legislative services agency in forecasting tax revenues; **and**
- (B) **the Indiana department of labor for the purpose of conducting a survey and reporting to the United States Department of Labor or the federal Bureau of Labor Statistics.**

(4) Information obtained from any person in the administration of this article and the records of the department relating to the unemployment tax or the payment of benefits for use by the following governmental entities:

- (A) ~~department of state revenue; an agency of the United States; or~~
- (B) ~~state or local law enforcement agencies; an agency of the state; or~~
- (C) **a public official for use in the performance of the**

public official's duties;

only if there is an agreement that the information will be kept confidential and used for legitimate governmental purposes.

(e) The department may make information available under subsection ~~(d)(1); (d)(2); or (d)(3)~~ **(d)** only:

(1) if:

- (A) data provided in summary form cannot be used to identify information relating to a specific employer or specific employee; or
- (B) there is an agreement that the employer specific information released to the ~~Indiana economic development corporation; the budget agency; or the legislative services agency~~ will be treated as confidential and will be released only in summary form that cannot be used to identify information relating to a specific employer or a specific employee; and

(2) after the cost of making the information available to the person requesting the information is paid under IC 5-14-3.

(f) In addition to the confidentiality provisions of subsection (b), the fact that a claim has been made under IC 22-4-15-1(c)(8) and any information furnished by the claimant or an agent to the department to verify a claim of domestic or family violence are confidential. Information concerning the claimant's current address or physical location shall not be disclosed to the employer or any other person. Disclosure is subject to the following additional restrictions:

- (1) The claimant must be notified before any release of information.
- (2) Any disclosure is subject to redaction of unnecessary identifying information, including the claimant's address.

(g) An employee:

- (1) of the department who recklessly violates subsection (a), (c), (d), (e), or (f); or
- (2) of any governmental entity listed in subsection (d)(4) who recklessly violates subsection (d)(4);

commits a Class B misdemeanor.

(h) An employee of the Indiana economic development corporation, the budget agency, or the legislative services agency who violates subsection (d) or (e) commits a Class B misdemeanor.

(i) An employer or agent of an employer that becomes aware that a claim has been made under IC 22-4-15-1(c)(8) shall maintain that information as confidential.

(j) The department may charge a reasonable processing fee not to exceed two dollars (\$2) for each record that provides information about an individual's last known employer released in compliance with a court order under subsection (b).

SECTION 3. IC 22-4-19-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) **An employer that is required to be provided a notice or report under this section is entitled to delivery of the notice or report by the United States Postal Service using first class mail. If an employer wants to receive notices and reports by mail, the employer shall notify the department on a form**

provided by the department.

(b) Where an employer makes an offer of employment directly to a claimant, promptly giving written notice to the department of such offer, or when any such employer makes such offer of employment in writing through the department, the commissioner, the deputy, or an authorized representative of the state or the United States employment service, which offer shall specify such claimant by name, and when such claimant thereafter fails to register subsequent to the receipt of such offer of employment by the department, the commissioner, the deputy, or an authorized representative of the state or the United States employment service, then a notice in writing shall promptly be mailed to such employer of such claimant's said failure to return and to register. If such claimant thereafter, in the claimant's benefit period, again registers or renews and continues the claimant's claim for benefits, such employer shall promptly be **mailed provided with** notice of such fact in order that the employer may have an opportunity to renew and remake an offer of employment to such claimant.

(c) Upon the filing by an individual of an additional claim for benefits, a notice ~~in writing or a carbon copy of such additional claim~~ shall be **mailed promptly provided to the base period employer or employers and to the employing unit including** an employer from whose employ the individual claims to have been last separated.

(d) Upon the filing by an individual of an initial claim for benefits, a notice ~~in writing or a carbon copy of such initial claim~~ shall be **mailed promptly provided to the base period employer or base period employers and to the employing unit units** including an employer from whose employ the individual claims to have been last separated. The computation of the benefit rights of such individual shall be made as promptly as possible and, if such claim is deemed valid, then a notice of benefit liability shall be **mailed provided** to each employer whose experience account is potentially chargeable with benefits to be paid to such individual. Such notice shall contain the date, the name and social security number of the individual, the ending date of the individual's base period, and the week ending date of the first week of the individual's benefit year. Such notice shall further contain information as to the proportion of benefits chargeable to the employer's experience account in ratio to the earnings of such individual from such employer and shall advise such employer of the employer's right to protest such claim and the payment of any benefits thereon and of the place and time within which protest must be made and the form and contents thereof.

(e) Whenever a determination is made with respect to the validity of any claim for benefits, or the eligibility of any claimant for benefits, which involves the cancellation of wage credits or benefit rights, the imposition of any disqualification, period of ineligibility or penalty, or the denial thereof, a notice ~~in writing~~ shall promptly be **mailed provided** to such claimant and to each employer directly involved or connected with the issue raised as to the validity of such claim, the eligibility of such claimant for benefits, or the imposition of a disqualification

period of ineligibility or penalty, or the denial thereof. Such employer or such claimant may protest any such determination within such time limits and in such manner as provided in IC 22-4-17-2 and upon said protest shall be entitled to a hearing as provided in IC 22-4-17-2 and IC 22-4-17-3.

(f) Every employer shall be ~~mailed~~ **provided with** a monthly report of benefit charges which shall contain an itemized statement showing the names of individuals to whom benefits were paid and charged to the experience account of such employer, the weeks with respect to which each such individual received benefits, the amount thereof, and the total amount of benefits charged to such employer's said account during the period covered by such report.

(g) Following the computation of rates of contribution for employers for each calendar year, each employer shall be ~~mailed~~ **provided with notice** not later than ninety (90) days after the effective date of such rates, ~~a notice in writing~~ setting out the employer's rate of contribution for such year, computed by the department as of the preceding June 30, together with sufficient information for such employer to determine and compute the amount of a voluntary payment required from such employer in order to qualify for and obtain a lower rate of contribution for such year and also advising such employer of the length of time within which or last date upon which said voluntary payment will be received or can be made.

SECTION 4. IC 22-4-25-1, AS AMENDED BY P.L.171-2016, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) There is created in the state treasury a special fund to be known as the special employment and training services fund. All interest on delinquent contributions and penalties collected under this article, together with any voluntary contributions tendered as a contribution to this fund, shall be paid into this fund. The money shall not be expended or available for expenditure in any manner which would permit their substitution for (or a corresponding reduction in) federal funds which would in the absence of said money be available to finance expenditures for the administration of this article, but nothing in this section shall prevent said money from being used as a revolving fund to cover expenditures necessary and proper under the law for which federal funds have been duly requested but not yet received, subject to the charging of such expenditures against such funds when received. The money in this fund shall be used by the department for the payment of refunds of interest on delinquent contributions and penalties so collected, for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants or other funds received for or in the employment and training services administration fund, on and after July 1, 1945. Such money shall be available either to satisfy the obligations incurred by the department directly, or by transfer by the department of the required amount from the special employment and training services fund to the employment and training services administration fund. The department shall order the transfer of such funds or the payment of any such obligation

or expenditure and such funds shall be paid by the treasurer of state on requisition drawn by the department directing the auditor of state to issue the auditor's warrant therefor. Any such warrant shall be drawn by the state auditor based upon vouchers certified by the commissioner. The money in this fund is hereby specifically made available to replace within a reasonable time any money received by this state pursuant to 42 U.S.C. 502, as amended, which, because of any action or contingency, has been lost or has been expended for purposes other than or in amounts in excess of those approved by the ~~bureau of employment security~~. **United States Department of Labor**. The money in this fund shall be continuously available to the department for expenditures in accordance with the provisions of this section and for the prevention, detection, and recovery of delinquent contributions, penalties, and improper benefit payments, and shall not lapse at any time or be transferred to any other fund, except as provided in this article. **Except as provided in subsection (e)**, after making the grants required under subsection (c), the department may expend an amount not to exceed five million dollars (\$5,000,000) in a state fiscal year for the purposes described in this subsection, unless an additional amount is approved by the budget committee. Nothing in this section shall be construed to limit, alter, or amend the liability of the state assumed and created by IC 22-4-28, or to change the procedure prescribed in IC 22-4-28 for the satisfaction of such liability, except to the extent that such liability may be satisfied by and out of the funds of such special employment and training services fund created by this section. **Each state fiscal year, the commissioner shall make the training grants required under subsection (c) before amounts are expended from the fund in accordance with this section for any other purpose.**

(b) ~~Whenever~~ **If on December 31** the balance in the special employment and training services fund exceeds eight million five hundred thousand dollars (\$8,500,000), the department shall order, **not later than thirty (30) days after December 31**, payment of the amount that exceeds eight million five hundred thousand dollars (\$8,500,000) into the unemployment insurance benefit fund.

(c) Subject to the availability of funds, on July 1 each year the commissioner shall release **the following amounts before expenditures are made in accordance with this section for any other purpose:**

- (1) One million dollars (\$1,000,000) to the state educational institution established under IC 21-25-2-1 for training provided to participants in apprenticeship programs approved by the United States Department of Labor, Bureau of Apprenticeship and Training.
- (2) Four million dollars (\$4,000,000) to the state educational institution instituted and incorporated under IC 21-22-2-1 for training provided to participants in joint labor and management apprenticeship programs approved by the United States Department of Labor, Bureau of Apprenticeship and Training.
- (3) Two hundred fifty thousand dollars (\$250,000) for

journeyman upgrade training to each of the state educational institutions described in subdivisions (1) and (2).

(4) Four hundred thousand dollars (\$400,000) annually for training and counseling assistance:

(A) provided by Hometown Plans under 41 CFR 60-4.5; and

(B) approved by the United States Department of Labor, Bureau of Apprenticeship and Training; to individuals who have been unemployed for at least four (4) weeks or whose annual income is less than twenty thousand dollars (\$20,000). ~~and~~

(5) Three hundred thousand dollars (\$300,000) annually for training and counseling assistance provided by the state institution established under IC 21-25-2-1 to individuals who have been unemployed for at least four (4) weeks or whose annual income is less than twenty thousand dollars (\$20,000) for the purpose of enabling those individuals to apply for admission to apprenticeship programs offered by providers approved by the United States Department of Labor, Bureau of Apprenticeship and Training.

(d) Each state educational institution described in subsection (c) is entitled to keep ten percent (10%) of the funds released under subsection (c) for the payment of costs of administering the funds. On each June 30 following the release of the funds, any funds released under subsection (c) not used by the state educational institutions under subsection (c) shall be returned to the special employment and training services fund.

(e) For the state fiscal year beginning July 1, 2017, and the state fiscal year beginning July 1, 2018, the five million dollar (\$5,000,000) maximum on expenditures by the department from the fund in a state fiscal year described in subsection (a) does not apply.

SECTION 5. IC 22-4-25-2 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec: 2: (a) As used in this section, "fund" refers to the special employment and training services fund created under section 4 of this chapter:

(b) ~~The commissioner may allocate an amount not to exceed two million dollars (\$2,000,000) annually from the fund to establish reemployment training accounts to provide training and reemployment services to department employees dislocated by:~~

- ~~(1) a reduction of funding for;~~
- ~~(2) a centralization or decentralization of; or~~
- ~~(3) the implementation of a more efficient technology or service delivery method in connection with;~~

~~the programs and services provided under this article:~~

(Reference is to EHB 1154 as printed March 24, 2017.)

Leonard, Chair	Boots
J. Taylor	Niezgodski
House Conferees	Senate Conferees

Roll Call 492: yeas 49, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT
EHB 1622-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1622 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 36-2-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) The county auditor shall attend all meetings of, and record in writing the official proceedings of, the executive.

(b) If a copy of the executive's proceedings has been signed and sealed by the auditor and introduced into evidence in court, that copy is presumed to be an accurate record of the executive's proceedings.

(c) This subsection applies only to a county having a population of more than one hundred thousand (100,000) that maintains an Internet web site. The county auditor shall post on the county's Internet web site the roll call votes of the county's executive body not later than three (3) business days after the following:

(1) The date the roll call vote is taken if the county's software is able to generate a roll call vote.

(2) If the county's software is not able to generate a roll call vote, the date the county executive body is first able to approve the minutes of the meeting at which the roll call vote was taken.

The county auditor shall maintain the roll call vote information on the Internet web site for a period of four (4) years.

SECTION 2. IC 36-2-3-6, AS AMENDED BY SEA 505-2017, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) At its regular meeting required by section 7(b)(1) of this chapter, the fiscal body shall elect a president and president pro tempore from its members.

(b) The county auditor is the clerk of the fiscal body and shall **do the following:**

(1) Preserve the fiscal body's records in the county auditor's office.

(2) Keep an accurate record of the fiscal body's proceedings.

(3) Record the ayes and nays on each vote appropriating money or fixing the rate of a tax levy. ~~and~~

(4) Record the ayes and nays on other votes when requested to do so by two (2) or more members.

(5) This subdivision applies only to a county having a population of more than one hundred thousand (100,000) that maintains an Internet web site. The

county auditor shall post on the county's Internet web site the roll call votes of the county fiscal body not later than three (3) business days after the following:

(A) The date the roll call vote is taken if the county's software is able to generate a roll call vote.

(B) If the county's software is not able to generate a roll call vote, the date the county fiscal body is first able to approve the minutes of the meeting at which the roll call vote was taken.

The county auditor shall maintain the roll call vote information on the Internet web site for a period of four (4) years.

(c) The county sheriff or a county police officer shall attend the meetings of the fiscal body, if requested by the fiscal body, and shall execute its orders.

(d) The fiscal body may employ legal and administrative personnel necessary to assist and advise it in the performance of its functions and duties.

SECTION 3. IC 36-3-4-8, AS AMENDED BY SEA 505-2017, SECTION 114, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) The city-county legislative body shall appoint a clerk for a term of one (1) year. The clerk serves at the pleasure of the legislative body and continues in office until the clerk's successor is appointed and qualified.

(b) The clerk is the clerk of the consolidated city. The clerk shall **do the following:**

(1) Act as secretary to the legislative body.

(2) Send out all notices of its meetings.

(3) Keep all its records.

(4) If the consolidated city maintains an Internet web site, post on the consolidated city's Internet web site the roll call votes of the consolidated city's legislative body not later than three (3) business days after the following:

(A) The date the roll call vote is taken if the consolidated city's software is able to generate a roll call vote.

(B) If the consolidated city's software is not able to generate a roll call vote, the date the city-county legislative body is first able to approve the minutes of the meeting at which the roll call vote was taken.

The clerk shall maintain the roll call vote information on the Internet web site for a period of four (4) years.

~~(4)~~ **(5) Present ordinances and resolutions to the executive under section 15 of this chapter. and**

~~(5)~~ **(6) Perform other duties connected with the work of the legislative body that are delegated to the clerk by it: the legislative body.**

SECTION 4. IC 36-4-6-9, AS AMENDED BY SEA 505-2017, SECTION 128, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. The city clerk is the clerk of the legislative body. The city clerk shall **do the following:**

- (1) Preserve the legislative body's records in the clerk's office.
- (2) Keep an accurate record of the legislative body's proceedings.
- (3) Record the ayes and nays on each vote on an ordinance or resolution.
- (4) Record the ayes and nays on other votes when requested to do so by two (2) or more members.
- (5) Present ordinances, orders, or resolutions to the city executive under section 15 of this chapter. ~~and~~
- (6) Record ordinances under section 17 of this chapter.
- (7) This subdivision applies only to a second class city that maintains an Internet web site. The city clerk shall post on the city's Internet web site the roll call votes of the legislative body not later than three (3) business days after the following:**

- (A) The date the roll call vote is taken if the city's software is able to generate a roll call vote.**
- (B) If the city's software is not able to generate a roll call vote, the date the legislative body is first able to approve the minutes of the meeting at which the roll call vote was taken.**

The city clerk shall maintain the roll call vote information on the Internet web site for a period of four (4) years.

(Reference is to EHB 1622 as printed March 24, 2017.)

Speedy, Chair	Walker
Moed	Breaux
House Conferees	Senate Conferees

Roll Call 493: yeas 45, nays 1. Report adopted.

SENATE MOTION

Madam President: I move that Senator Zakas be added as coauthor of Senate Resolution 55.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as third author of Senate Bill 29.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 10:00 a.m., Friday, April 21, 2017.

GLICK

Motion prevailed.

The Senate adjourned at 3:34 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate