



Journal of the House

State of Indiana

118th General Assembly

Second Regular Session

Nineteenth Day

Monday Afternoon

February 17, 2014

The invocation was offered by Pastor Larry McAdams of Franklin Memorial Christian Church, a guest of Representative Woody Burton.

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

The Pledge of Allegiance to the Flag was led by Representative Woody Burton.

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

Arnold	Kubacki
Austin	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Battles	Lucas
Bauer	Lutz
Behning	Macer
Beumer	Mahan
Braun	Mayfield
C. Brown	McMillan
T. Brown	McNamara
Burton	Messmer
Candelaria Reardon	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cox	Neese
Culver	Negele
Davisson	Niemeyer
DeLaney	Niezgodski □
Dermody	Ober
DeVon	Pelath
Dvorak	Pierce
Eberhart □	Porter
Errington	Price
Forestal	Pryor
Friend	Rhoads
Frizzell	Richardson
Frye	Riecken
GiaQuinta	Saunders
Goodin	Shackleford
Gutwein	Slager
Hale	Smaltz
Hamm	M. Smith
Harman	V. Smith
Harris	Soliday
Heaton	Speedy
Heuer	Stemler
Huston	Steuerwald
Karickhoff	Sullivan
Kersey	Summers
Kirchhofer	Thompson
Klinker	Torr
Koch	Truitt

Turner	Wesco
Ubelhor	Wolkins
VanDenburgh	Zent
VanNatter	Ziemke
Washburne	Mr. Speaker

Roll Call 218: 98 present; 2 excused. The Speaker announced a quorum in attendance. [NOTE: □ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, February 18, 2014, at 1:30 p.m.

FRIEND

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker Your Committee on Local Government, to which was referred Senate Bill 174, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 174 as printed January 31, 2014.)

Committee Vote: Yeas 9, Nays 0.

NEESE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Agriculture and Rural Development, to which was referred Senate Bill 186, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 186 as printed January 15, 2014.)

Committee Vote: Yeas 12, Nays 1.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Education, to which was referred Senate Bill 264, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 264 as printed January 31, 2014)

Committee Vote: Yeas 9, Nays 1.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Education, to which was referred Senate Bill 282, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 282 as printed, January 31.)
 Committee Vote: Yeas 9, Nays 2.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Natural Resources, to which was referred Senate Bill 304, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 304 as printed January 28, 2014.)
 Committee Vote: Yeas 9, Nays 0.

EBERHART, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Agriculture and Rural Development, to which was referred Senate Bill 311, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 311 as printed January 24, 2014.)
 Committee Vote: Yeas 12, Nays 0.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 330, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 20-24.2-4-2, AS ADDED BY P.L.201-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) During each school year, a qualified district or qualified high school shall provide at least sixty-four thousand eight hundred (64,800) minutes of instruction and learning for grades 9 through 12.

(b) A qualified district or qualified high school is not required to provide at least one hundred eighty (180) student instructional days. However, the total number of minutes of instruction provided in a school year under subsection (a) may not be less than the greatest total number of minutes provided during any one (1) school year of the five (5) school years immediately preceding the school year.

(c) Student activities that:

- (1) are organized by the qualified district or qualified high school;
- (2) occur outside the traditional classroom; and
- (3) are designed to provide instruction, or academic enrichment, or college and career readiness training;

are included as student instructional time under subsection (a).
 SECTION 2. IC 20-24.2-4-4, AS ADDED BY P.L.201-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) The following provisions of this title and rules and guidelines adopted under the following provisions of this title apply to a qualified district or qualified high school:

- IC 20-20-1 (educational service centers).
- IC 20-20-8 (school corporation annual performance report).
- IC 20-23 (organization of school corporations).
- IC 20-26 (school corporation general administrative provisions).
- IC 20-27 (school transportation).

- IC 20-28-3-4 (teacher continuing education).
- IC 20-28-4-8 (hiring of transition to teaching participants; restrictions).
- IC 20-28-4-11 (transition to teaching participants; school corporation or subject area; transition to teaching permit).
- IC 20-28-5-8 (conviction of certain felonies; notice and hearing; permanent revocation of license; data base of school employees who have been reported).
- IC 20-28-6 (teacher contracts).
- IC 20-28-7.5 (cancellation of teacher contracts).
- IC 20-28-8 (contracts with school administrators).
- IC 20-28-9 (teacher salary and related payments).
- IC 20-28-10 (conditions of employment).
- IC 20-28-11.5 (staff performance evaluations).
- IC 20-29 (collective bargaining for teachers).
- IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances).
- IC 20-30-5-13 (human sexuality instructional requirements).
- IC 20-30-5-17 (access to materials relating to personal analysis, evaluation, or survey of students; consent for participation).
- IC 20-30-5-19 (personal financial responsibility instruction).
- IC 20-31 (accountability for school performance and improvement).
- IC 20-32-4, IC 20-32-5, and IC 20-32-8 (accreditation, assessment, and remediation), or any other statute, rule, or guideline related to standardized assessments.
- IC 20-33 (students: general provisions).
- IC 20-34-3 (health and safety measures).
- IC 20-35 (special education).
- IC 20-39 (accounting and financial reporting procedures).
- IC 20-40 (government funds and accounts).
- IC 20-41 (extracurricular funds and accounts).
- IC 20-42.5 (allocation of expenditures to student instruction).
- IC 20-43 (state tuition support).
- IC 20-44 (property tax levies).
- IC 20-45 (general fund levies).
- IC 20-46 (levies other than general fund levies).
- IC 20-47 (related entities; holding companies; lease agreements).
- IC 20-48 (borrowing and bonds).
- IC 20-49 (state management of common school funds; state advances and loans).
- IC 20-50 (homeless children and foster care children).

(b) Notwithstanding any other provision of this section, a highly qualified school district or high school may replace high school courses on the high school transcript with dual credit courses (as defined in IC 21-43-1-2.5) or advanced placement courses on the same subject matter with equal or greater rigor to the required high school course and may count such a course as satisfying academic honors or another special diploma requirement. A dual credit course must be authorized by an eligible institution (as described in IC 21-43-4-3.5) that is a member of a national dual credit accreditation organization, or the eligible institution must make assurances that the final assessment for the course given for dual credit under this subsection is substantially equivalent to the final assessment given in the college course in that subject."

Page 2, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 2. IC 21-13-10 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

Chapter 10. Teacher Loan Repayment Program and Fund

Sec. 1. As used in this chapter, "critical shortage area"

means a geographic area determined annually by the department of education established by IC 20-19-3-1 to have, or projected within the next twelve (12) months to have, a shortage of licensed, full-time elementary or high school teachers.

Sec. 2. As used in this chapter, "fund" refers to the teacher loan repayment fund established by section 3 of this chapter.

Sec. 3. (a) The teacher loan repayment fund is established.

(b) The purpose of the fund is to attract qualified teachers who:

(1) graduated from an accredited Indiana high school after June 30, 2014, and either:

(A) were in the highest twenty percent (20%) of students in their high school graduating classes; or
(B) received scores in the top twentieth percentile on the SAT or ACT examination;

(2) graduated from a four (4) year postsecondary educational institution with at least a 3.5 grade point average on a 4.0 scale or its equivalent; and

(3) teach, for at least three (3) consecutive years in public schools in Indiana:

(A) science, technology, engineering, mathematics, or special education classes; or
(B) in a critical shortage area;

by granting loan repayment assistance authorized under this chapter to eligible applicants.

(c) The fund consists of appropriations to the fund and gifts, grants, devises, or bequests made to the state to achieve the purposes of the fund.

(d) The fund shall be administered by the commission. The expenses of administering the fund shall be paid from money in the fund.

(e) Loan repayment assistance payments shall be made from the fund by the treasurer of state upon a warrant issued by the auditor of state in accordance with rules adopted by the commission.

Sec. 4. The commission shall receive and consider all applications for loan repayment assistance received from qualified teachers with outstanding guaranteed student loans made, issued, or guaranteed under a program authorized by Title IV of the federal Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

Sec. 5. (a) To qualify for loan repayment assistance for student loans under this chapter, an applicant must:

(1) hold a license to teach under IC 20-28-5;
(2) agree in writing to the employment requirements set forth in section 7 of this chapter; and
(3) meet any additional criteria established by the commission.

(b) At the end of the third consecutive school year in which a teacher who qualifies under subsection (a) has taught, the commission shall pay directly to the financial institution that holds the qualified teacher's student loans an amount not to exceed the lesser of:

(1) the total principal and interest of the guaranteed student loans owed by the teacher at the end of the third year; or
(2) an amount determined by the commission based on the funds appropriated to the program;

which must be used to reduce the principal and interest on a guaranteed student loan owed by that qualified teacher.

(c) The commission may pay a qualified teacher's student loans under subsection (b) only if the following requirements are met:

(1) The qualified teacher received the student loans for an undergraduate degree that was necessary for either the subject area in which the qualified teacher teaches or for the qualified teacher to receive a teaching license.

(2) The qualified teacher's repayment of the loans is current at the time the commission makes the payment under subsection (b).

The requirements under this subsection are in addition to the requirements set forth in section 7 of this chapter.

Sec. 6. A qualified teacher must apply for a loan repayment on a form supplied by the commission. The commission shall consider each application and determine the eligibility of the applicant for the loan repayment assistance.

Sec. 7. (a) Before being granted loan repayment assistance under this chapter, a teacher must:

(1) apply for the loan repayment assistance not later than twenty-four (24) months after graduating from a postsecondary educational institution; and

(2) enter into a contract with the commission agreeing to the terms and conditions upon which the loan repayment assistance will be granted to the teacher.

(b) As a condition of being granted loan repayment assistance under this chapter, a teacher must agree to employment for a period of at least three (3) consecutive years as a licensed teacher in a public school in Indiana in science, technology, engineering, mathematics, or special education, or in a critical shortage area. The teacher is not required to teach at the same public school for three (3) consecutive years.

(c) Service rendered by a teacher in a public school before the teacher becomes a participant in the program may not be considered to have fulfilled the employment commitment required by subsection (b).

Sec. 8. A teacher is eligible to receive loan repayment assistance under this chapter only if an appropriation has been made to carry out the specific purposes of this chapter.

Sec. 9. The commission shall maintain complete and accurate records in implementing the fund, including records of the following:

(1) The receipt, disbursement, and uses of money from the fund.

(2) The number of applications for loan repayment assistance.

(3) The number and amount of loans for which loan repayment assistance has been provided by the department.

(4) Other pertinent information requested by the commission.

Sec. 10. The commission may adopt rules under IC 4-22-2 necessary to carry out this chapter, including rules governing the enforcement of any employment requirements.

SECTION 3. IC 21-18.5-4-3, AS ADDED BY P.L. 107-2012, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. For purposes of administering this chapter, the commission shall do the following:

(1) Prepare and supervise the issuance of public information concerning this chapter, IC 21-12-2, IC 21-12-3, IC 21-12-4, and IC 21-12-5.

(2) Prescribe the form and regulate the submission of applications for higher education awards and the commission's programs.

(3) Conduct conferences and interviews with applicants as appropriate.

(4) Determine the eligibility of applicants.

(5) Select qualified applicants.

(6) Determine annually the maximum higher education award (IC 21-12-3) and freedom of choice award (IC 21-12-4), subject to approval by the budget agency with review by the budget committee.

(7) Determine the respective amounts of, and award, the appropriate higher education awards, grants, and scholarships.

(8) Determine eligibility for, and award, annual renewals of higher education awards, grants, and scholarships.

(9) Act as the designated state agency for participation in any federal program for reinsurance of student loans.

(10) Receive federal funds made available to the commission for awards, grants, and scholarships, and disburse these funds in the manner prescribed by federal law.

(11) One (1) time every year, submit a report to the legislative council that provides data and statistical information regarding the number of individuals who received assistance under IC 21-12-6 and IC 21-12-6.5. The report made to the legislative council must be in an electronic format under IC 5-14-6.

(12) One (1) time every year, submit a report to the budget committee that provides data and statistical information regarding the number of individuals who received assistance under IC 21-12, IC 21-13, and IC 21-14.

(13) Administer and determine the eligibility of applicants for, and award amounts under, the teacher loan repayment program established under IC 21-13-10."

Renumber all SECTIONS consecutively.

(Reference is to SB 330 as printed January 24, 2014.)
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BEHNING, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Resolution 20

Representatives Pelath, Soliday, Moseley, Dvorak and Dermody introduced House Resolution 20:

A HOUSE RESOLUTION recognizing the efforts of the LaPorte Emergency Responders, numerous volunteers, and the Indiana Department of Transportation.

Whereas, Winter brings with it dangerously icy and snowy roads;

Whereas, Nowhere is this more clearly demonstrated than by the massive pileup on busy I-94 in Northern Indiana in late January;

Whereas, Three people were killed and more than 20 others were injured in this mile-long stretch of twisted cars and trucks;

Whereas, The LaPorte Emergency Responders were among the first to respond to this tragic accident;

Whereas, These dedicated men and women worked tirelessly and without concern for their own safety to free the trapped victims and to ensure that the injured received prompt and compassionate care;

Whereas, In addition to the LaPorte Emergency Responders, there were countless volunteers who gave up their time with little regard for their personal safety to help the people involved in this tragic accident;

Whereas, Even though snow and whiteout conditions contributed to the accident, the Indiana Department of Transportation worked diligently to keep the highway conditions passable;

Whereas, Snow plow drivers worked long hours ensuring that the highway could remain open for traffic throughout the storm; and

Whereas, The LaPorte Emergency Responders, numerous volunteers, and the Indiana Department of Transportation snow

plow drivers helped make a terrible situation better for those involved through their dedication and determination: Therefore,

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

SECTION 1. That the Indiana House of Representatives acknowledges the outstanding work of the LaPorte Emergency Responders and the employees of the Indiana Department of Transportation.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the LaPorte Emergency Responders, numerous volunteers, and the commissioner of the Indiana Department of Transportation.

The resolution was read a first time and adopted by voice vote.

House Concurrent Resolution 18

Representative Lehe introduced House Concurrent Resolution 18:

A CONCURRENT RESOLUTION recognizing the FFA and its Indiana state officers.

Whereas, The FFA is the student organization component of Indiana's total agricultural education program;

Whereas, As an intracurricular activity, FFA empowers students to apply the knowledge and competencies gained from classroom laboratory instruction and supervised agricultural experiences;

Whereas, The Indiana FFA and agricultural education provide a strong foundation for the youth of Indiana and the future of the food, fiber, and natural resource systems for Hoosiers statewide;

Whereas, The Indiana FFA nurtures the next generation of Hoosier agriculturalists who will be involved in the leadership of every facet of our food and fiber system, including food safety, research and development, environmental protection, sales and marketing, food production, food processing, international trade, and education;

Whereas, The Indiana FFA promotes premier leadership, personal growth, and career success among its members and assists students in discovering the power they possess through the Youth Agriculture Exchange Brazil Experience, the State Agri-Entrepreneurship Awards Program, conferences and workshops, agriculture career development events, chapter retreats, district officer program, leadership career development events, Project: IMPACT, and the state FFA convention;

Whereas, The FFA motto "Learning to Do, Doing to Learn, Earning to Live, Living to Serve" gives purpose to students who take an active role in succeeding in agricultural education;

Whereas, 2013-14 Indiana State President Alexandra (Allie) Abney, 18, grew up on a small family farm in Bargersville raising and showing Belted Galloway beef cattle, was an active member of the Franklin FFA Chapter and her 4-H club and a cheerleader, participated in student council, and graduated summa cum laude from her high school; she plans to attend Purdue University to major in both Agricultural Economics and Agricultural Communications;

Whereas, 2013-14 State Secretary Kayla Hoenert, 18, is a member of the North Posey FFA Chapter and enjoys competing in soil judging, parliamentary procedure, and extemporaneous speaking; she will attend Purdue University and major in Animal Sciences with intentions of becoming a large animal veterinarian;

Whereas, 2013-14 State Northern Region Vice-President Rebekah Frey, 18, was a member of the Prairie Heights FFA Chapter, was active in cross country, basketball, and softball, and plans to attend the University of Saint Francis to major in Graphic Design and minor in Communication;

Whereas, 2013-14 FFA State Southern Region Vice President Ethan McNeely, 18, grew up on a farm in Scottsburg and was actively involved in his community, academics, and many activities at Scottsburg High School and plans to attend Purdue University majoring in Agricultural Economics;

Whereas, 2013-14 FFA State Treasurer Cameron Frazier, 19, comes from the Riverton Parke FFA Chapter in Montezuma and enjoys forestry, parliamentary procedure, and public speaking CDEs; after his term as Treasurer, Cameron will be attending Purdue University majoring in Agriculture Education;

Whereas, 2013-14 Indiana FFA State Reporter Shelby Sigman, 18, was a member of the Benton Central FFA Chapter and enjoyed judging soil and parliamentary procedure as well as many other CDEs; after her term as State Reporter, Shelby plans to attend Purdue University with a dual major in Crop Science and Soil Science;

Whereas, 2013-14 State Sentinel Sarah Dirksen, 17, was born and raised on her family's dairy farm in Winchester and enjoyed soil judging, as well as demonstrations and other speaking contests; after her term as State Sentinel, Sarah plans to attend Purdue University to pursue a degree in Agriculture; and

Whereas, The Indiana FFA promotes citizenship, volunteerism, patriotism, and cooperation among its active Hoosier members: 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 acknowledges the important work done by the Indiana FFA in furthering the development of our youth into exceptional citizens of our state and recognizes the outstanding job of Indiana's officers.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Indiana FFA State President Allie Abney, State Secretary Kayla Hoenert, State Northern Region Vice-President Rebekah Frey, State Southern Region Vice President Ethan McNeely, State Treasurer Cameron Frazier, State Reporter Shelby Sigman, and State Sentinel Sarah Dirksen.

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

House Concurrent Resolution 35

Representatives Clere, C. Brown, Torr, Rhoads, Stemler and Friend introduced House Concurrent Resolution 35:

A CONCURRENT RESOLUTION honoring Jamey Aebersold.

Whereas, The National Endowment for the Arts (NEA) Jazz Masters Fellowship is the highest honor our nation bestows on jazz artists;

Whereas, Jamey Aebersold was named the 2014 recipient of the A.B. Spellman NEA Jazz Masters Award for Jazz Advocacy;

Whereas, With his nomination, Jamey Aebersold joined the 132 individuals who, over the past 32 years, have been recognized with this special honor and will forever be known as NEA Jazz Masters;

Whereas, In 1966, while assisting at a workshop in Connecticut, Jamey Aebersold created the first Play-A-Long recording when a student requested a recording of his piano accompaniment so he could rehearse and improvise at home;

Whereas, These Play-A-Long recordings have made it possible for jazz players of all ages to create an interactive jazz environment in a classroom, their living room, or just about anywhere;

Whereas, For nearly 50 years, Jamey Aebersold has produced 133 volumes of jazz recordings and books, creating a new venue for jazz education;

Whereas, In recognition of his many accomplishments, Jamey Aebersold was inducted into the International Association for Jazz Education Hall of Fame, and the Jazz Midwest Clinic honored him with the Medal of Honor in jazz education;

Whereas, Jamey Aebersold taught at three colleges and universities in the Louisville, Kentucky, area, and, in 1992, received an honorary doctorate of music from Indiana University where he received a master's degree in saxophone in 1962;

Whereas, Born and currently residing in New Albany, Jamey Aebersold continues to teach, conduct jazz clinics around the country, and perform as leader of the Jamey Aebersold Quartet in addition to running Jamey Aebersold Jazz; and

Whereas, By educating people about the wonders of jazz, Jamey Aebersold has contributed to the legacy of jazz that will be passed on from generation to generation: 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 James Aebersold on his selection as the 2014 A.B. Spellman NEA Jazz Masters Award for Jazz Advocacy and to urge him to continue teaching and proclaiming the wonders of jazz.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to James Aebersold.

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

House Concurrent Resolution 37

Representatives Pelath, Dermody and Dvorak introduced House Concurrent Resolution 37:

A CONCURRENT RESOLUTION honoring the Honorable William Boklund.

Whereas, Judge William Boklund, LaPorte Superior Court 4, will be retiring at the end of his current term;

Whereas, Judge Boklund was first appointed as a Superior Court Judge in 1993, elected in 1996, and re-elected in 2002 and 2008;

Whereas, Judge Boklund graduated with distinction from Purdue University where he majored in English literature and minored in Business;

Whereas, Interested in the law since he was in the first grade, Judge Boklund received his Doctor of Jurisprudence from Valparaiso University;

Whereas, Before serving on the bench, Judge Boklund was in private practice and served as a LaPorte County deputy prosecuting attorney;

Whereas, While serving on the court, Judge Boklund established the Road Crew program to ease overcrowding in the LaPorte County Jail, brought ignition interlock to LaPorte County for drunk driving cases, and established a domestic violence program that includes a GPS-electronic monitoring device called the Shield to protect victims;

Whereas, Judge Boklund became one of the first two judges in Indiana to earn a master's certificate from the state's Judicial College, was appointed by the Indiana chief justice to the Board of Directors of the Indiana Judicial Conference and currently serves as a member of its faculty, served two terms as chairman of the Indiana Criminal Jury Instructions Committee, has been named Judge of the Year by the Indiana Correctional Association, and is one of only two judges who have been twice awarded the Indiana Judges Association's Excellence in Public Information and Education Award; and

Whereas, Judge William Boklund has devoted his life to the law and to helping people: 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 expresses its deepest gratitude to the Honorable William Boklund for his years of dedicated service to the people of LaPorte County and the state of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Honorable William Boklund.

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

House Concurrent Resolution 39

Representatives Candelaria Reardon and Lawson introduced House Concurrent Resolution 39:

A CONCURRENT RESOLUTION urging Governor Pence to reestablish the earned income reciprocal agreement with Illinois.

Whereas, Reciprocity means that two or more states agree to exempt the earned income of residents of neighboring states from income taxes;

Whereas, Effective January 1, 1998, Indiana and Illinois terminated their reciprocal agreement;

Whereas, That agreement had made it possible for residents of one state to work in the neighboring state while only paying income taxes to the state of residency;

Whereas, Currently, if you reside in Indiana and work in Illinois, you must pay Illinois income tax on any compensation received from that employer; and

Whereas, Without the earned income reciprocal agreement with Illinois, Indiana residents pay tax on all of the income earned in Illinois to Indiana but get a credit for taxes paid to Illinois: 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 urges Governor Pence to contact the governor of Illinois to reestablish the earned income reciprocal agreement between the states.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Governor Mike Pence and Illinois Governor Pat Quinn.

The resolution was read a first time and referred to the Committee on Ways and Means.

House Concurrent Resolution 40

Representative Thompson introduced House Concurrent Resolution 40:

A CONCURRENT RESOLUTION urging the Legislative Council to assign to a study committee the topic of which time zone our state capital and, therefore, the majority of our citizens should observe.

Whereas, The time zone that should be observed in most Indiana counties has been a continuing issue of controversy;

Whereas, Indiana is currently split into two time zones - the Central Time Zone and the Eastern Time Zone;

Whereas, Most of Indiana's 92 counties are in the Eastern Time Zone; however, Jasper, Lake, LaPorte, Newton, Porter, Starke, Gibson, Perry, Posey, Spencer, Vanderburgh, and Warrick counties are in the Central Time Zone, which has about 20% of Indiana's population;

Whereas, The placement of our state capital in the Central Time Zone would likely result in fewer than 5% of our state's population remaining in the Eastern Time Zone; and

Whereas, The issues of commerce, education achievement, and student safety are some of the issues related to time zone placement: 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 urges the Legislative Council to assign to a study committee the topic of which time zone our state capital and, therefore, the majority of our citizens should observe.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 58

Representative Hamm called down Engrossed Senate Bill 58 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 63

Representative McMillin called down Engrossed Senate Bill 63 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 117

Representative Frizzell called down Engrossed Senate Bill 117 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 207

Representative M. Smth called down Engrossed Senate Bill 207 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 207-1)

Mr. Speaker: I move that Engrossed Senate Bill 207 be amended to read as follows:

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

"SECTION 1. IC 20-46-1-8, AS AMENDED BY P.L.198-2011, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. (a) Subject to this chapter, the governing body of a school corporation may adopt a resolution to place a referendum under this chapter on the ballot for either of the following purposes:

(1) The governing body of the school corporation determines that it cannot, in a calendar year, carry out its public educational duty unless it imposes a referendum tax levy under this chapter.

(2) The governing body of the school corporation determines that a referendum tax levy under this chapter should be imposed to replace property tax revenue that the school corporation will not receive because of the application of the credit under IC 6-1.1-20.6.

(b) The governing body of the school corporation shall certify a copy of the resolution, **including the proposed public question language required by section 10 of this chapter, to the following:**

(1) The department of local government finance, including (in the case of a resolution certified to the department of local government finance after April 30, 2011) the language for the question required by section 10 of this chapter. In the case of a resolution certified to the department of local government finance after April 30, 2011, the department shall review the language for compliance with section 10 of this chapter and either approve or reject the language. The department shall send its decision to the governing body of the school corporation not more than ten (10) days after the resolution is submitted to the department. If the language is approved, the governing body of the school corporation shall certify a copy of the resolution, including the language for the question and the department's approval, to:

(1) (2) The county fiscal body of each county in which the school corporation is located (for informational purposes only). and

(2) (3) The circuit court clerk of each county in which the school corporation is located.

(c) If the certification under subsection (b) is made not later than the applicable time set forth in IC 3-10-9-3:

(1) the certification required by IC 3-10-9-3 is considered to have been made; and

(2) the referendum shall be held at the next primary, municipal primary, municipal, or general election, as applicable under IC 3-10-9-3."

Page 1, after line 13, begin a new paragraph and insert:

"SECTION 3. IC 20-46-1-13, AS AMENDED BY P.L.198-2011, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 13. (a) Each circuit court clerk shall, upon receiving the question certified by the governing body of a school corporation under this chapter, call a meeting of the county election board to make arrangements for the referendum.

(b) The county election board shall review the proposed public question language.

(c) If the county election board determines that the proposed public question language fairly describes the referendum tax levy, the county election board shall approve the proposed language.

(d) If the county election board determines that the proposed public question language does not fairly describe the referendum tax levy, the county election board shall revise the public question language.

(e) If the county election board revises the public question language under subsection (d), the governing body of the school corporation may request the Indiana election commission to review the county election board's revision. If the governing body of the school corporation requests a

review under this subsection, the Indiana election commission shall do one (1) of the following:

(1) Approve the public question language originally proposed by the governing body.

(2) Approve the public question language as revised by the county election board.

(3) Prescribe the public question language to be used for the referendum.

In determining what the public question language should be, the Indiana election commission shall determine what language most fairly describes the referendum tax levy.

(f) If the Indiana election commission does not make a determination under subsection (e) before:

(1) sixty (60) days before a primary election, if the question is to be placed on the primary or municipal primary election ballot; or

(2) August 1, if the question is to be placed on the general or municipal election ballot;

the determination of the county election board is considered approved.

(g) The public question language as determined under subsection (c), (d), (e), or (f), whichever is applicable, is the public question language that must be used for the referendum.

SECTION 4. IC 20-46-1-14, AS AMENDED BY P.L.113-2010, SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 14. (a) The referendum shall be held in the next primary election, general election, or municipal election in which all the registered voters who are residents of the appellant school corporation are entitled to vote after certification of the question under IC 3-10-9-3. The certification of the question must occur not later than noon:

(1) sixty (60) days before a primary election if the question is to be placed on the primary or municipal primary election ballot; or

(2) August 1 if the question is to be placed on the general or municipal election ballot.

However, section 8 of this chapter.

(b) If a primary election, general election, or municipal election will not be held during the first year in which the public question is eligible to be placed on the ballot under this chapter and if the appellant school corporation requests the public question to be placed on the ballot at a special election, the public question shall be placed on the ballot at a special election to be held on the first Tuesday after the first Monday in May or November of the year. The certification must occur not later than noon sixty (60) days before a special election to be held in May (if the special election is to be held in May) or noon on August 1 (if the special election is to be held in November): the applicable time set forth in IC 3-10-9-3. (b) If the referendum is not conducted at a primary election, general election, or municipal election, special election, the appellant school corporation in which the referendum is to be held shall pay all the costs of holding the referendum."

Renumber all SECTIONS consecutively.

(Reference is to ESB 207 as printed February 14, 2014.)

SOLIDAY

Motion prevailed.

HOUSE MOTION
(Amendment 207-2)

Mr. Speaker: I move that Engrossed Senate Bill 207 be amended to read as follows:

Page 1, after line 13, begin a new paragraph and insert:

"SECTION 2. IC 20-46-1-19, AS AMENDED BY P.L.146-2008, SECTION 503, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. If a majority of the persons who voted in the referendum did not vote "yes" on the referendum question:

- (1) the school corporation may not make any levy for its referendum tax levy fund; and
 (2) another referendum under this section may not be held for ~~one (1) year~~ **earlier than three hundred fifty (350) days** after the date of the referendum.

SECTION 3. **An emergency is declared for this act.**
 (Reference is to ESB 207 as printed February 14, 2014.)

M. SMITH

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 236

Representative Steuerwald called down Engrossed Senate Bill 236 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 236-2)

Mr. Speaker: I move that Engrossed Senate Bill 236 be amended to read as follows:

Page 17, line 25, reset in roman "(a)".

Page 17, reset in roman lines 31 through 38.

Page 17, delete lines 39 through 42, begin a new paragraph and insert:

"(c) Upon ~~entering a judgment of conviction for the misdemeanor adjudging a person to have committed an~~ **infraction** under this section, the court shall forward a copy of the judgment to the bureau of motor vehicles for the purpose of complying with subsection (b)."

Page 35, delete lines 9 through 21, begin a new paragraph and insert:

"SECTION 103. IC 9-24-18-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. (a) The bureau shall suspend for a mandatory period of at least ninety (90) days the current driving license or permit of a person who ~~(1) uses or has possession of a driving license or permit of another person with the intent to violate or evade or to attempt to violate or evade any provision of law relating to the sale, purchase, use, or possession of alcoholic beverages; or~~ **(2) is convicted of the offenses adjudged to have committed an infraction listed in IC 7.1-5-7-1(b). or IC 7.1-5-7-10.**

(b) The mandatory suspension provided by this section is in addition to all other sanctions provided by section 7 of this chapter and IC 9-30-4-9."

(Reference is to ESB 236 as printed February 14, 2014.)

LEHMAN

Motion withdrawn.

HOUSE MOTION (Amendment 236-1)

Mr. Speaker: I move that Engrossed Senate Bill 236 be amended to read as follows:

Page 18, line 15, delete "(a)(3)" and insert "**(a)(2) or (a)(3)**".

Page 35, line 25, delete "consuming, or" and insert "consuming or".

(Reference is to ESB 236 as printed February 14, 2014.)

DELANEY

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 329

Representative Niemeyer called down Engrossed Senate Bill 329 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 329-1)

Mr. Speaker: I move that Engrossed Senate Bill 329 be amended to read as follows:

Page 2, line 4, after "." begin a new paragraph and insert:

"SECTION 2. IC 25-20.2-2-7 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. "Home inspection report" means a legibly written report prepared for compensation and issued after a home inspection. The report must include the following:

(1) A report on any system or component inspected that, in the professional opinion of the inspector, is significantly deficient or near the end of the system or component's service life. A report under this subdivision must include the reason why the system or component is significantly deficient or near the end of the system or component's service life, unless the reason is self-evident.

(2) The inspector's recommendation to remedy or monitor a deficiency reported under subdivision (1).

(3) A list of any systems or components that were designated for inspection in the standards of performance adopted by the board but that were not inspected.

(4) The reason a system or component listed under subdivision (3) was not inspected.

(5) A statement that the report does not address environmental hazards, including:

(A) lead-based paint;

(B) radon;

(C) asbestos;

(D) cockroaches;

(E) rodents;

(F) pesticides;

(G) treated lumber;

(H) mold;

(I) mercury;

(J) carbon monoxide; or

(K) other similar environmental hazards.

(6) A statement that the report does not address wood destroying insects and organisms.

(7) A statement that the report does not address subterranean systems or system components (operational or nonoperational), including:

(A) sewage disposal;

(B) water supply; or

(C) fuel storage or delivery.

(8) A statement that the home inspector has checked for the existence of a carbon monoxide detector. If no carbon monoxide detector is present, the home inspector must include in the report consumer information pertaining to the installation of carbon monoxide detectors."

Renumber all SECTIONS consecutively.

(Reference is to ESB 329 as printed February 14, 2014.)

DERMODY

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 393

Representative Washburne called down Engrossed Senate Bill 393 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 19

Representative Steuerwald called down Engrossed Senate Bill 19 for third reading:

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

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

Roll Call 219: yeas 92, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the

act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 24

Representative Steuerwald called down Engrossed Senate Bill 24 for third reading:

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

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

Roll Call 220: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 31

Representative McMillin called down Engrossed Senate Bill 31 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

Roll Call 221: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 114

Representative Cherry called down Engrossed Senate Bill 114 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 222: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Niezgodski, who had been excused, is now present.

Engrossed Senate Bill 209

Representative Burton called down Engrossed Senate Bill 209 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 223: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bills 176 and 330 had been referred to the Committee on Ways and Means.

Reassignments

The Speaker announced the reassignment of Engrossed Senate Bill 375 from the Committee on Ways and Means to the Committee on Financial Institutions.

HOUSE MOTION

Mr. Speaker: I move that Representatives Hale and Riecken be added as cosponsors of Engrossed Senate Bill 43.

OBER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Niezgodski be added as cosponsor of Engrossed Senate Bill 54.

DEVON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Price be added as cosponsor of Engrossed Senate Bill 57.

HAMM

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Price be added as cosponsor of Engrossed Senate Bill 58.

HAMM

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Frye and Klinker be added as cosponsors of Engrossed Senate Bill 85.

MORRISON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Turner be added as cosponsor of Engrossed Senate Bill 106.

NEGELE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Battles be added as cosponsor of Engrossed Senate Bill 114.

CHERRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as cosponsor of Engrossed Senate Bill 117.

FRIZZELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Errington be added as cosponsor of Engrossed Senate Bill 163.

FRIEND

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Dermody, GiaQuinta and Messmer be added as cosponsors of Engrossed Senate Bill 166.

VANNATTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Moed and Pryor be

added as cosponsor of Engrossed Senate Bill 174.

KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Battles and Wesco be added as cosponsors of Engrossed Senate Bill 207.

M. SMITH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Turner be added as cosponsor of Engrossed Senate Bill 227.

MCMILLIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dermody be added as cosponsor of Engrossed Senate Bill 229.

EBERHART

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pryor be added as cosponsor of Engrossed Senate Bill 266.

OBER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cherry be added as cosponsor of Engrossed Senate Bill 293.

WASHBURNE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Harman be added as cosponsor of Engrossed Senate Bill 306.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dermody be added as cosponsor of Engrossed Senate Bill 312.

MCMILLIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Behning, Moed and Errington be added as cosponsors of Engrossed Senate Bill 330.

HEUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Price be added as cosponsor of Engrossed Senate Bill 352.

HAMM

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Messmer be added as cosponsor of Engrossed Senate Bill 394.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative C. Brown be added as cosponsor of Engrossed Senate Bill 397.

EBERHART

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bacon be added as coauthor of House Resolution 11.

RIECKEN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors, and that Representatives Mayfield, Pierce, Heaton, M. Smith, Saunders, Karickhoff, Arnold and Clere be added as coauthors of House Resolution 16.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Friend be added as coauthor of House Concurrent Resolution 35.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Kubacki, Klinker, Austin, Baird, Battles, Behning, C. Brown, Carbaugh, Cherry, Dermody, Errington, Friend, GiaQuinta, Harman, Heaton, Heuer, Kirchhofer, Koch, Lucas, Macer, McNamara, Messmer, Moed, Washburne, Wolkins, Morrison, Neese, Negele, Niezgodski, Ober, Pierce, Pryor, Richardson, Zent, Riecken, Shackelford, V. Smith, Stemler, Thompson, Turner and VanNatter be added as coauthors of House Concurrent Resolution 18.

LEHE

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolution 33 and the same is herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 6 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Niezgodski, the House adjourned at 2:55 p.m., this seventeenth day of February, 2014, until Tuesday, February 18, 2014, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives