



# Journal of the House

State of Indiana

119th General Assembly

First Regular Session

Fifteenth Day

Thursday Morning

February 5, 2015

The invocation was offered by Reverend Daniel Wallace of First Christian Church in Columbus, a guest of Representative Milo E. Smith.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Timothy P. Harman.

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

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

Truitt  
Ubelhor  
VanNatter  
Washburne  
Wesco

Wolkins  
Wright  
Zent  
Ziemke  
Mr. Speaker

Roll Call 78: 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 Monday, February 9, 2015, at 1:30 p.m.

FRIEND

The motion was adopted by a constitutional majority.

## INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 11 were read a first time by title and referred to the respective committees:

**SB 100** — Wolkins, Beumer  
Committee on Natural Resources

A BILL FOR AN ACT concerning public safety.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 16

Representatives McNamara, Bacon, Sullivan, Washburne, Riecken and Rhoads introduced House Concurrent Resolution 16:

A CONCURRENT RESOLUTION honoring Johnnie Guy.

*Whereas, Sophomore Johnnie Guy became the first University of Southern Indiana men's runner in 16 years to win a national championship;*

*Whereas, Johnnie finished first in the 10,000 meters at the NCAA Division II Outdoor Track and Field Championships;*

*Whereas, Johnnie finished the race in 29 minutes, 33.31 seconds, more than ten seconds ahead of the second place finisher;*

*Whereas, Johnnie joins the University of Southern Indiana and Great Lakes Valley Conference Hall of Fame member Elly Rono as the only men's runners in school history to win a national title;*

*Whereas, Johnnie Guy began the race running in a pack of five or six competitors but broke away around the 20 minute mark;*

*Whereas, Johnnie Guy broke away from the pack throughout the course of the next two minutes and opened up a 20-meter lead on second place;*

*Whereas, Johnnie Guy's victory marks the Screaming Eagles' first national title of any kind since the university's baseball team won the NCAA II championship in 2010;*

*Whereas, In recognition of his many accomplishments, Johnnie Guy earned All-America honors for the third time this season; and*

*Whereas, Outstanding athletic accomplishments such as this deserve special recognition: Therefore,*

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

SECTION 1. That the Indiana General Assembly congratulates Johnnie Guy on capturing the national championship in the 10,000 meters at the NCAA Division II Outdoor Track and Field Championships.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Johnnie Guy, head coach Mike Hillyard, and President Linda L. M. Bennett.

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 Tomes and Becker.

#### House Concurrent Resolution 17

Representatives McNamara, Bacon, Sullivan, Washburne, Riecken, Arnold, Borders, Braun, Carbaugh and Schaibley introduced House Concurrent Resolution 17:

A CONCURRENT RESOLUTION honoring the University of Southern Indiana's national championship baseball team.

*Whereas, The University of Southern Indiana's baseball team earned its second NCAA Division II championship in what may be one of the greatest NCAA Division II baseball championship games of all time;*

*Whereas, A bases-loaded walk to senior infielder Matt Bowles scored the winning run in the top of the 12th inning, leading to a 3-2 victory over Colorado Mesa University in Cary, North Carolina, and tying the record as the longest NCAA Division II title game;*

*Whereas, Junior shortstop/pitcher Matt Chavarria, who came in to begin the ninth inning, pitched four scoreless innings;*

*Whereas, Matt Chavarria was named the tournament's most outstanding player and was joined on the All-Tournament team by sophomore Kyle Kempf, junior Ben Wright, and senior Brent Weinzapfel;*

*Whereas, On their way to capturing their second national title in five years, the Screaming Eagles defeated the No. 1, No. 2, No. 3, and No. 4 ranked teams in the country;*

*Whereas, The University of Southern Indiana's national baseball championship is the third team title for University of Southern Indiana Athletics, joining the 2010 baseball team and the 1995 men's basketball team; and*

*Whereas, Outstanding accomplishments such as this deserve special recognition: Therefore,*

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

SECTION 1. That the Indiana General Assembly congratulates the University of Southern Indiana's baseball team on winning its second NCAA Division II championship and wishes the team continued success in all its future endeavors.

SECTION 2. That the Principal Clerk of the House of

Representatives transmit a copy of this resolution to each team member, assistant coach Jeremy Kuester, head coach Tracy Archuleta, and President Linda L. M. Bennett.

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 Becker, Delph, Houchin, Long and Messmer.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1065, 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 3, between lines 22 and 23, begin a new line double block indented and insert:

**"(D) An explanation of the medical treatment, including expected frequency and duration of the treatment."**

Page 4, after line 6, begin a new paragraph and insert:

**"(f) This section does not create a cause of action against a physician, pharmacist, or hospital for the use of an investigational drug, biological product, or device by a patient for any harm to the patient from the investigational drug, biological product, or device."**

(Reference is to HB 1065 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

CLERE, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1139, 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 17, line 35, delete "." and insert **"and file a notice of the certification with the county auditor."**

(Reference is to HB 1139 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

SMITH M, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1164, 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 HB 1164 as introduced.)

Committee Vote: Yeas 11, Nays 0.

LUCAS, Acting Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1186, 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 5, line 26, after "overpayment." insert **"For an overpayment described in subsection (e), the department**

has four (4) years from the date of the overpayment to establish that the overpayment occurred and the amount of the overpayment."

Page 6, line 19, delete "within the three (3) year" and insert "."

Page 6, delete lines 20 through 23.

Page 7, delete lines 27 through 42, begin a new paragraph and insert:

"SECTION 4. IC 22-4-13-4 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 4: (a) This section applies to an individual:

(1) for whom the department has established an overpayment by a final written determination under section 1(a) or 1(b) of this chapter; and

(2) whose overpayment amount that is due and payable equals or exceeds:

(A) the individual's weekly benefit amount; multiplied by

(B) four (4);

(c) Notwithstanding any other law and subject to subsection (e), an individual is entitled to repay the established amount of an overpayment over a period:

(1) beginning on the date the determination of the amount of the overpayment is final; and

(2) ending on a date not later than the date occurring thirty-six (36) months after the date specified in subdivision (1).

(e) An individual to whom this section applies may repay an overpayment over time as provided in subsection (b) not more than once during the individual's lifetime."

Delete pages 8 through 10.

Page 11, delete lines 1 through 6, begin a new paragraph and insert:

"SECTION 5. IC 22-4-13.3 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

### Chapter 13.3. Administrative Withholding for Benefit Overpayments

#### Sec. 1. Whenever:

(1) the department establishes an overpayment for an individual under IC 22-4-13-1(c) or IC 22-4-13-1(d); and

(2) the overpayment becomes final following the exhaustion of all appeals;

the department may, in addition to any other manner of collecting the overpayment provided by law, require each employer of an individual for whom an overpayment is established to withhold amounts from the individual's income and pay those amounts to the department in accordance with this chapter.

Sec. 2. (a) The department shall provide a notice to an individual who is subject to withholding under section 1 of this chapter.

(b) The notice provided under subsection (a) must contain the following:

(1) That the individual's income will be withheld.

(2) That a notice to withhold the individual's income applies to all current and subsequent employers.

(3) That a notice to withhold income will be provided to each of the individual's employers and will include the information listed in section 3 of this chapter.

(4) That the individual may contest the withholding and assert exemptions from withholding by requesting an administrative review.

(5) The grounds and procedures for the individual to contest the withholding.

Sec. 3. (a) The department shall provide a notice to withhold income to each employer of an individual who is subject to withholding under section 1 of this chapter.

(b) A notice to withhold income provided under subsection (a) is binding on the employer and must contain

the following:

(1) The Social Security number of the individual who is subject to withholding.

(2) The total amount to be withheld from the individual's income, including any interest, penalties, or assessments accrued under this article.

(3) An explanation of an employer's duties under section 4 of this chapter upon the employer's receipt of the notice to withhold income.

(4) A description of the limitations on income withholding established by section 7(d) of this chapter.

(5) A description of:

(A) the prohibition established under section 5 of this chapter against an employer using income withholding as the basis for refusing to hire, discharging, or taking disciplinary action against an individual; and

(B) the penalties established under section 6 of this chapter for an employer that refuses to withhold income or knowingly misrepresents an employee's income.

Sec. 4. An employer that receives a notice to withhold income under section 3 of this chapter shall do the following:

(1) Verify the individual's employment to the department.

(2) Withhold from the income due to the individual each pay period an amount:

(A) determined in accordance with; and

(B) subject to the limitations of and priority established by;

IC 24-4.5-5-105 in the same manner as a garnishment. An income withholding under this chapter is not an assignment of wages under IC 22-2-6.

(3) Begin withholding the amount determined under subdivision (2) from the individual's income beginning with the first pay period that occurs not later than fourteen (14) days after the date the employer receives the notice sent under section 3 of this chapter.

(4) Remit the amount withheld under subdivision (2) to the department by check or electronic payment (as defined by IC 5-27-2-3) not later than seven (7) days after the date of each regularly scheduled pay day.

(5) Continue withholding under this section until:

(A) the department notifies the employer to discontinue the withholding; or

(B) the full amount required to be paid to the department has been paid, as indicated by a written statement to the employer from the department.

(6) Notify the department, if the individual subject to withholding terminates employment, including the individual's last known address and the name of any new employer, if known.

Sec. 5. (a) An employer may not use the withholding of income to collect an overpayment to the department as a basis for:

(1) refusing to hire a potential employee;

(2) discharging an employee; or

(3) taking disciplinary action against an employee.

(b) If:

(1) an employee reasonably believes that an employer took an action described in subsection (a); and

(2) the employee was adversely affected by the employer's action;

the employee may bring a suit against the employer in a court with jurisdiction.

(c) If a court determines that an employer took an action described in subsection (a), the employer may be:

(1) ordered to hire or reinstate an employee who was

adversely affected by the employer's action without loss of pay or benefits; and  
 (2) fined an amount not to exceed one thousand dollars (\$1,000).

Sec. 6. (a) An employer that refuses to withhold income as required by this chapter or knowingly misrepresents the income of an employee:

(1) is liable to the department for the amount that the employer failed to withhold from an employee's income; and  
 (2) may be ordered to pay punitive damages to the department in an amount not to exceed one thousand dollars (\$1,000) for each pay period the employer failed to withhold income as required or knowingly misrepresented the income of the employee.

(b) The department may institute a civil action in a court with jurisdiction requesting that the court direct the employer to appear and to show cause why the penalties described in this section should not be assessed.

(c) At the hearing on the order to show cause, the court, upon a finding that the employer refused to withhold income as required or knowingly misrepresented an employee's income:

(1) shall require the employer to pay the amount the employer failed or refused to withhold from the employee's income;  
 (2) may order the employer to provide accurate information concerning an employee's income;  
 (3) may assess against the employer punitive damages under subsection (a)(2); and  
 (4) may order the employer to otherwise comply with this chapter.

Sec. 7. (a) An employer that complies with a notice described in section 3 of this chapter that is regular on its face is not liable in any civil action for any conduct taken in compliance with the notice.

(b) An employer that complies with a notice described in section 3 of this chapter is discharged from liability to an employee for the part of the employee's income that was withheld in compliance with the notice.

(c) If a court issues an order to stay a withholding of income, the department is not liable in any civil action to an individual who is the subject of the income withholding for amounts withheld from the individual's income before the stay becomes effective.

(d) Administrative income withholdings issued under this chapter are subject to the limitations set forth in IC 24-4.5-5-105. A withholding under this chapter is not an assignment of wages under IC 22-2-6.

(e) The department may adopt rules under IC 4-22-2, including emergency rules in the manner provided under IC 4-22-2-37.1, to carry out the department's responsibilities under this chapter.

Sec. 8. (a) An individual who receives a notice under section 2 of this chapter may contest the withholding and assert exemptions by requesting, in writing, not later than fifteen (15) days after the date on the notice, an administrative hearing by an administrative law judge of the department.

(b) An administrative hearing under this section may be conducted in either of the following ways:

(1) As a written records or "paper" hearing conducted by review of written materials and other records.  
 (2) As a telephone or in person hearing conducted by review of written materials and testimony.

(c) An individual who contests an income withholding is entitled to:

(1) an opportunity to inspect and copy records relating to the overpayment;  
 (2) an opportunity to enter into a written agreement

with the department to establish a schedule for repayment of the overpayment; and  
 (3) an opportunity for an administrative hearing conducted by an administrative law judge of the department.

(d) An individual may contest an income withholding on the following grounds:

(1) That the existence, past due status, or the amount of the overpayment is incorrect.  
 (2) That the amount withheld was incorrectly calculated.  
 (3) That the overpayment is unenforceable as a matter of law.

(e) The department is not required to provide more than one (1) hearing based on the same grounds or objections. If:

(1) the department has already provided a hearing on the existence or the amount of the overpayment; and  
 (2) the employee does not have new evidence concerning the overpayment;

the department may not repeat the hearing on the existence or amount of the overpayment.

(f) The department's evidence concerning the existence, past due status, and amount of the overpayment is automatically admitted as evidence in the administrative hearing and must be considered by the administrative law judge."

Page 19, after line 38, begin a new paragraph and insert:

"SECTION 19. IC 34-30-2-87.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 87.4. IC 22-4-13.3-7 (Concerning the withholding of overpaid unemployment benefits)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1186 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 4.

GUTWEIN, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1264, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

Page 1, line 3, strike ""local government"".

Page 1, line 4, strike "means".

Page 1, line 4, delete "a".

Page 1, line 4, strike "county, city, town, or township." and insert ""legislative body" has the meaning set forth in IC 36-1-2-9.

(b) As used in this section, "political subdivision" has the meaning set forth in IC 5-11-10.5-1.

(c) As used in this section, "material" means a significant or consequential amount, as determined by the state examiner and approved by the audit committee."

Page 1, line 5, strike "(b)" and insert "(d)".

Page 1, line 10, strike "local governments," and insert "political subdivisions,".

Page 2, between lines 3 and 4, begin a new paragraph and insert:

"(e) The state board of accounts shall develop or designate approved personnel training materials to implement this section."

Page 2, line 4, delete "(c)" and insert "(f)".

Page 2, line 4, delete "local government" and insert "political subdivision".

Page 2, line 9, delete "(d) The attorney who represents" and insert "(g) The legislative body of".

Page 2, line 10, delete "state" and insert "**department of local government finance**".

Page 2, line 11, delete "board of accounts".

Page 2, line 12, delete "(b)" and insert "(d)".

Page 2, line 12, delete "local government." and insert "**political subdivision**".

Page 2, line 13, delete "(e)" and insert "(h)".

Page 2, line 14, strike "local government" and insert "**political subdivision**".

Page 2, line 15, delete "The" and insert "**For all material variances, losses, shortages, or thefts, the**".

Page 2, line 28, delete "(f)" and insert "(i)".

Page 2, line 31, delete "(e)(3)(B)." and insert "(h)(3)(B)".

Page 2, line 32, delete "(g)" and insert "(j)".

Page 2, line 40, delete "inspector general" and insert "**state board of accounts**".

Page 2, line 41, delete "local government." and insert "**political subdivision**".

Page 2, delete line 42, begin a new paragraph and insert:

**"(k) If the attorney general institutes civil proceedings related to this section or under IC 5-11-5-1, the attorney general shall seek, in addition to the recovery of any funds misappropriated, diverted, or unaccounted for, restitution of:**

- (1) costs incurred by the state board of accounts; and**
- (2) all costs and reasonable attorney's fees incurred by the attorney general;**

**in connection with the civil proceedings."**

Page 3, delete lines 1 through 11, begin a new paragraph and insert:

**"SECTION 2. IC 5-11-1-28 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 28. (a) The bureau of motor vehicles (IC 9-14-1-1), office of the secretary of family and social services (IC 12-8-1.5-1), and department of state revenue (IC 6-8.1-2-1) shall each annually:**

- (1) have performed by an internal auditor:**

**(A) an internal audit; and**

**(B) a review of internal control systems; of the agency; and**

**(2) have the internal auditor report the results of the internal audit and review to an examiner designated by the state examiner to receive the results.**

**(b) The examiner designated under subsection (a) shall, not later than September 1 of each year:**

**(1) compile a final report of the results of the internal audits and reviews performed and reported under subsection (a); and**

**(2) present the final report to a committee composed of the following:**

**(A) The governor or the governor's designee.**

**(B) The auditor of state or the auditor's designee.**

**(C) The chairperson of the audit committee, in an electronic format under IC 5-14-6.**

**(D) The director of the office of management and budget or the director's designee.**

**(c) The committee described in subsection (b)(2) shall, not later than October 1 of each year, submit a copy of the final report to the audit committee in an electronic format under IC 5-14-6."**

Page 3, line 24, after "(b)" insert "**This subsection applies after December 31, 2016.**".

Page 3, line 29, delete "IC 5-11-1-27(c);" and insert "**IC 5-11-1-27(f);**".

Page 3, line 32, delete "IC 5-11-1-27(d)" and insert "**IC 5-11-1-27(g)**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1264 as introduced.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

LUCAS, Acting Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1281, 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:

Delete AM1281 #1 adopted by the Committee on Government and Regulatory Reform on January 27, 2015.

Page 2, line 7, delete "twenty-five" and insert "**fifty**".

Page 2, line 8, delete "\$25,000,000;" and insert "**(\$50,000,000);**".

Page 2, line 19, after "fund." insert "**The ordinance or resolution under section 3 of this chapter must require that the investing officer of the political subdivision shall contract with a registered investment advisor concerning the investment of the proceeds in the fund with the expanded investment authority granted to the political subdivision under this section.**".

Page 2, line 23, delete "However, if a" and insert "**A**".

Page 2, line 24, delete "enters" and insert "**shall enter**".

Page 2, line 24, delete "investment management".

Page 2, line 25, delete "professionals or" and insert "**a registered**".

Page 2, line 25, delete "advisors" and insert "**advisor to provide advice**".

Page 2, line 26, after "fund" delete ", the agreement:" and insert "**The political subdivision shall, with the advice of the registered investment advisor, enter into agreements with investment managers for the investment of the funds. These agreements:**".

Page 3, between lines 18 and 19, begin a new line block indented and insert:

**"(4) All money in the fund that is in a deposit account and not in some other form of investment shall be deposited in one (1) or more designated depositories of the political subdivision in the same manner as other public funds of the political subdivision are deposited under IC 5-13-9."**

Page 3, line 28, delete "twenty-five" and insert "**fifty**".

Page 3, line 29, delete "\$25,000,000)." and insert "**(\$50,000,000).**".

Page 3, line 31, delete "community".

Page 3, line 34, delete "community".

Page 4, line 3, delete "may" and insert "**shall**".

Page 4, line 3, after "managers," insert "**investment advisors,**".

Page 4, line 7, after "policy" insert "**statement developed by the board of trustees with an investment advisor**".

Page 4, line 9, delete "restrictions and requirements set forth" and insert "**diversification, risk management, and other fiduciary requirements common to the management of charitable foundations, including that the funds of the foundation must be invested according to the prudent investor rule. However, the investment policy statement may not allow the foundation to invest in any investments in which the political subdivision that established the foundation is not permitted to invest under the Constitution of the State of Indiana. The investment policy statement must include the limitation on the investment in equities specified in subsection (f).**".

Page 4, delete lines 10 through 42, begin a new paragraph and insert:

**"(e) Money held by the foundation:**

- (1) may be invested in any legal, marketable securities; and**

(2) is not subject to any other investment limitations in the law, other than the limitations under this section and the limitations in the investment policy statement.

(f) The total amount of the funds invested by a foundation in equity securities under this section may not exceed fifty-five percent (55%) of the total value of the portfolio of funds invested by the foundation under this section. However:

(1) an investment that complies with this subsection when the investment is made remains legal even if a subsequent change in the value of the investment or a change in the value of the total portfolio of funds invested by the foundation causes the percentage of investments in equity securities to exceed the fifty-five percent (55%) limit on equity securities; and

(2) if the total amount of the funds invested by a foundation in equity securities exceeds the fifty-five percent (55%) limit on equity securities because of a change described in subdivision (1), the investments by the foundation must be rebalanced to comply with the fifty-five percent (55%) limit on equity investments not later than one hundred twenty (120) days after the equity investments first exceed that limit."

Page 5, delete lines 1 through 30.

Page 6, after line 12, begin a new line block indented and insert:

"(5) The foundation must be audited annually by an independent third party auditor.

(6) The board of trustees must meet at least quarterly to receive a quarterly compliance and performance update from the investment advisor. Three (3) nonvoting advisors who are officers of different county designated depositories shall attend the quarterly meetings in an advisory capacity to assist the board of trustees:

(A) in reviewing the compliance and performance report from the investment advisor; and

(B) in reviewing the annual audit required by subdivision (5).

The three (3) nonvoting advisors may not vote on any action of the board of trustees. The board of trustees shall by majority vote select the three (3) depositories from which the three (3) nonvoting advisors will be chosen. Each of the three (3) depositories selected under this subdivision shall select an officer of the depository to serve as one (1) of the three (3) nonvoting advisors. Each nonvoting advisor shall serve a term of three (3) years, and the nonvoting advisor shall continue to serve until a successor is selected. However, to provide for staggered terms, the board of trustees shall provide that the initial term of one (1) nonvoting advisor is one (1) year, the initial term of one (1) nonvoting advisor is two (2) years, and the initial term of one (1) nonvoting advisor is three (3) years. For purposes of avoiding a conflict of interest, a financial institution for which a nonvoting advisor is an officer (and any affiliate of such a financial institution) may not receive a commission or other compensation for investments made by the foundation under this section."

(Reference is to HB 1281 as introduced.) and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 2.

LUCAS, Acting Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1333, 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 HB 1333 as introduced.)

Committee Vote: Yeas 11, Nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1373, 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 HB 1373 as introduced.)

Committee Vote: Yeas 12, Nays 0.

WASHBURN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1394, 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 3, line 1, delete "a".

Page 3, line 2, delete "program" and insert "training by a certified driver rehabilitation specialist".

Page 3, line 20, after "specialist" insert "recognized by the bureau who is".

Page 3, line 21, delete "program recognized by" and insert "program".

Page 3, delete line 22.

Page 4, line 3, after "specialist" insert "recognized by the bureau who is".

Page 4, line 4, delete "program recognized by the" and insert "program".

Page 4, delete line 5.

Page 4, line 33, after "specialist" insert "recognized by the bureau who is".

Page 4, line 34, delete "program recognized by" and insert "program".

Page 4, delete line 35.

(Reference is to HB 1394 as introduced.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1417, 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 9-13-2-25.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: **Sec. 25.3. "Civic event license plate", for purposes of IC 9-18-12.5, means a license plate that is issued under IC 9-18-24.**

SECTION 2. IC 9-13-2-25.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: **Sec. 25.5. "Civic event motor vehicle" means a motor vehicle that is registered as a civic event motor vehicle under IC 9-18-12.5.**

SECTION 3. IC 9-18-12.5 IS ADDED TO THE INDIANA

CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
[EFFECTIVE JANUARY 1, 2016]:

**Chapter 12.5. Civic Event Motor Vehicle Registration**

**Sec. 1. A person may register a motor vehicle as a civic event motor vehicle if the motor vehicle satisfies the following conditions:**

- (1) In a previous registration year, the motor vehicle:
  - (A) was operated in conjunction with a civic event; and
  - (B) legally displayed a civic event license plate for the civic event.
- (2) The motor vehicle is as close to original as possible.

**Sec. 2. (a) A civic event motor vehicle must be registered annually.**

**(b) The bureau may adopt a:**

- (1) registration form; and
- (2) certificate of registration;

**to implement this chapter.**

**(c) After December 31, 2015, a person who:**

- (1) registers a civic event motor vehicle under this chapter; and
- (2) wishes to display on the civic event motor vehicle a civic event license plate;

**must pay the applicable registration fee under IC 9-29-5 for the type of motor vehicle.**

**Sec. 3. (a) A person who registers a civic event motor vehicle under this chapter may:**

- (1) furnish; and
- (2) display on the civic event motor vehicle;

**a civic event license plate.**

**(b) A civic event license plate furnished and displayed under this section must be an authentic civic event license plate that was originally assigned to:**

- (1) the civic event motor vehicle; or
- (2) another motor vehicle that was operated in conjunction with the same civic event in which the civic event motor vehicle was operated.

**(c) Before a civic event license plate is mounted on a civic event motor vehicle under this section, the license plate must be inspected by the bureau to determine whether the license plate:**

- (1) complies with this section;
- (2) is in suitable condition to be displayed; and
- (3) bears a unique plate number at the time the plate was originally issued under IC 9-18-24.

**The bureau shall authorize the display of a restored or refurbished authentic civic event license plate, but may prohibit the display of an authentic civic event license plate under this section if the authentic civic event license plate is not in conformance with this section.**

**(d) The current certificate of registration of a civic event motor vehicle registered under this chapter shall be:**

- (1) kept at all times in the vehicle; and
- (2) made available for inspection upon the demand of a law enforcement officer.

**Notwithstanding IC 9-18-2-21, this subsection is not satisfied by keeping a reproduction of the certificate of registration in the vehicle or making a reproduction of the certificate of registration available for inspection.**

**Sec. 4. If a person who registers a civic event motor vehicle under this chapter makes substantial alterations or changes to the vehicle after the date of the civic event motor vehicle's registration, the registrant shall report the alterations or changes to the bureau. If the bureau determines that, due to the alterations or changes, the civic event motor vehicle is no longer as close to original as possible, the bureau shall:**

- (1) immediately cancel the registration of the civic event motor vehicle under this chapter; and
- (2) notify the registrant of the cancellation.

**Sec. 5. The bureau shall adopt rules under IC 4-22-2 to implement this chapter, including a rule concerning the disposition of civic event license plates upon the transfer of ownership of a civic event motor vehicle.**

**Sec. 6. A person who violates this chapter commits a Class C infraction."**

Page 1, line 3, delete "section 3.3 of this chapter," and insert "IC 9-18-12.5,".

Page 2, line 5, delete "section 3.3 of this" and insert "IC 9-18-12.5,".

Page 2, delete lines 6 through 30.

Re-number all SECTIONS consecutively.

(Reference is to HB 1417 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

SOLIDAY, Chair

Report adopted.

**COMMITTEE REPORT**

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1435, 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 2, line 8, delete "sale or" and insert "sale,".

Page 4, between lines 9 and 10, begin a new paragraph and insert:

**"Sec. 8. Notwithstanding IC 7.1-3-6-5, IC 7.1-3-16-9, and IC 7.1-3-9.5-3, an alcoholic beverage prize given away at an allowable event at a licensed premises may be carried out in a closed and sealed container."**

Page 5, line 2, after "must" insert "be at least twenty-one (21) years of age,".

Page 5, delete lines 3 through 11.

Page 5, line 18, after "auctions" insert "with alcoholic beverages as an auction item".

Page 5, between lines 21 and 22, begin a new paragraph and insert:

**"Sec. 7. Notwithstanding IC 7.1-3-6-5, IC 7.1-3-16-9, and IC 7.1-3-9.5-3, an alcoholic beverage item auctioned at a charity event at a licensed premises may be carried out in a closed and sealed container."**

(Reference is to HB 1435 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 1.

DERMODY, Chair

Report adopted.

**COMMITTEE REPORT**

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1448, 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 HB 1448 as introduced.)

Committee Vote: Yeas 13, Nays 0.

CLERE, Chair

Report adopted.

**COMMITTEE REPORT**

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1449, 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 HB 1449 as introduced.)

Committee Vote: Yeas 13, Nays 0.

CLERE, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1007, 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 5-2-6-23, AS AMENDED BY P.L.1-2009, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 23. (a) As used in this section, "board" refers to the sexual assault victim advocate standards and certification board established by subsection (c).

(b) As used in this section, "rape crisis center" means an organization that provides a full continuum of services, including hotlines, victim advocacy, and support services from the onset of the need for services through the completion of healing, to victims of sexual assault.

(c) The sexual assault victim advocate standards and certification board is established. The board consists of the following twelve (12) members appointed by the governor:

- (1) A member recommended by the prosecuting attorneys council of Indiana.
- (2) A member from law enforcement.
- (3) A member representing a rape crisis center.
- (4) A member recommended by the Indiana Coalition Against Sexual Assault.
- (5) A member representing mental health professionals.
- (6) A member representing hospital administration.
- (7) A member who is a health care professional (as defined in IC 16-27-1-1) qualified in forensic evidence collection and recommended by the Indiana chapter of the International Association of Forensic Nurses.
- (8) A member who is an employee of the Indiana criminal justice institute.
- (9) A member who is a survivor of sexual violence.
- (10) A member who is a physician (as defined in IC 25-22.5-1-1.1) with experience in examining sexually abused children.
- (11) A member who is an employee of the office of the secretary of family and social services.
- (12) A member who is an employee of the state department of health, office of women's health.

(d) Members of the board serve a four (4) year term. Not more than seven (7) members appointed under this subsection may be of the same political party.

(e) The board shall meet at the call of the chairperson. Seven (7) members of the board constitute a quorum. The affirmative vote of at least seven (7) members of the board is required for the board to take any official action.

(f) The board shall:

- (1) develop standards for certification as a sexual assault victim advocate;
- (2) set fees that cover the costs for the certification process;
- (3) adopt rules under IC 4-22-2 to implement this section; **and**
- ~~(4) administer the sexual assault victims assistance account established by subsection (h); and~~
- ~~(5) (4) certify sexual assault victim advocates to provide advocacy services.~~

(g) Members of the board may not receive a salary per diem. Members of the board are entitled to receive reimbursement for mileage for attendance at meetings. Any other funding for the board is paid at the discretion of the director of the office of management and budget.

(h) The sexual assault victims assistance account is established within the state general fund. The ~~board~~ **victim services division of the institute** shall administer the account to provide financial assistance to rape crisis centers. ~~Money in the account must be distributed to~~ **In making a determination regarding distribution of funds from the account, the division shall consult with** a statewide nonprofit sexual assault coalition as designated by the federal Centers for Disease Control and Prevention under 42 U.S.C. 280 et seq. The account consists of:

- (1) amounts transferred to the account from sexual assault victims assistance fees collected under IC 33-37-5-23;
- (2) appropriations to the account from other sources;
- (3) fees collected for certification by the board;
- (4) grants, gifts, and donations intended for deposit in the account; and
- (5) interest accruing from the money in the account.

(i) The expenses of administering the account shall be paid from money in the account. The ~~board shall designate~~ **victim services division may not use** more than ten percent (10%) of the appropriation made each year ~~to the nonprofit corporation~~ for program administration. The ~~board~~ **victim services division may not use designate to the board, for the administration of the certification program,** more than ten percent (10%) of the money collected from certification fees. ~~to administer the certification program:~~

(j) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested.

(k) Money in the account at the end of a state fiscal year does not revert to the state general fund.

(l) The governor shall appoint a member of the commission each year to serve a one (1) year term as chairperson of the board."

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

"SECTION 4. [EFFECTIVE JULY 1, 2015] (a) **There is appropriated to the sexual assault victims assistance account established within the state general fund by IC 5-2-6-23(h):**

**(1) one million dollars (\$1,000,000) for the state fiscal year beginning July 1, 2015, and ending June 30, 2016; and**

**(2) one million dollars (\$1,000,000) for the state fiscal year beginning July 1, 2016, and ending June 30, 2017.**

**(b) The full amount of the appropriation under this SECTION shall be distributed to rape crisis centers in Indiana without deduction of personal services or other operating expenses from a state agency.**

**(c) This SECTION expires July 1, 2017."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1007 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

FRIZZELL, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1231, 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 HB 1231 as introduced.)



Committee Vote: Yeas 11, Nays 0.

BEHNING, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1425, 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 HB 1425 as introduced.)

Committee Vote: Yeas 10, Nays 1.

WASHBURN, Chair

Report adopted.

### HOUSE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1042, 1093, 1184, 1240, 1358, 1360, 1469, 1495, 1501, 1505, 1509 and 1545.

### ENGROSSED HOUSE BILLS ON THIRD READING

#### Engrossed House Bill 1104

Representative Lehman called down Engrossed House Bill 1104 for third reading:

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

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

Roll Call 79: yeas 79, nays 18. 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. Senate sponsor: Senator Head.

#### Engrossed House Bill 1108

Representative Burton called down Engrossed House Bill 1108 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 80: 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. Senate sponsor: Senator Bray.

#### Engrossed House Bill 1287

Representative Burton called down Engrossed House Bill 1287 for third reading:

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

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

Roll Call 81: 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. Senate sponsor: Senator Holdman.

#### Engrossed House Bill 1341

Representative Lehman called down Engrossed House Bill 1341 for third reading:

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

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

Roll Call 82: yeas 96, 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. Senate sponsor: Senator Holdman.

#### Engrossed House Bill 1350

Representative Wolkins called down Engrossed House Bill 1350 for third reading:

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

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

Roll Call 83: 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. Senate sponsor: Senator Charbonneau.

The House recessed until the fall of the gavel.

### RECESS

The House reconvened at 1:55 p.m. with the Speaker in the Chair.

### REPORTS FROM COMMITTEES

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1181, 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 15-15-13-7, AS ADDED BY P.L.165-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) Subject to section 15 of this chapter, the production of, possession of, scientific study of, **marketing of**, and commerce in industrial hemp is authorized in Indiana. Industrial hemp is an agricultural product that is subject to regulation by the state seed commissioner. The state seed commissioner shall adopt rules to oversee the licensing, production, and management of:

- (1) industrial hemp; and
- (2) agricultural hemp seed;

to ensure integrity of audits and security of field sites of each commodity.

(b) All growers and handlers must have an industrial hemp license issued by the state seed commissioner. Growers and handlers engaged in the production of agricultural hemp seed must also have an agricultural hemp seed production license.

(c) An application for an industrial hemp license or agricultural hemp seed production license must include the following:

- (1) The name and address of the applicant.
- (2) The name and address of the industrial hemp operation of the applicant.
- (3) The global positioning system coordinates and legal

description of the property used for the industrial hemp operation.

(4) If the industrial hemp license or agricultural hemp seed production license application is made by a grower, the acreage size of the field where the industrial hemp will be grown.

(5) A statement signed by the applicant, under penalty of perjury, that the person applying for the industrial hemp license or agricultural hemp seed production license has not been convicted of a drug related felony or misdemeanor in the previous ten (10) years.

(6) A written consent allowing the state police department to conduct a state or national criminal history background check.

(7) A written consent allowing the state police department, if a license is issued to the applicant, to enter the premises on which the industrial hemp is grown to conduct physical inspections of industrial hemp planted and grown by the applicant, and to ensure the plants meet the definition of industrial hemp as set forth in section 6 of this chapter. Not more than two (2) physical inspections may be conducted under this subdivision per year, unless a valid search warrant for an inspection has been issued by a court of competent jurisdiction.

(8) A nonrefundable application fee, which must include the amount necessary to conduct a state or national criminal history background check, in an amount determined by the state seed commissioner.

(9) Any other information required by the state seed commissioner."

Page 2, after line 5, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "work group" means the industrial hemp use work group established by subsection (b).

(b) The industrial hemp use work group is established. The Indiana board of pharmacy shall convene the work group, which includes representatives from the office of the state chemist and the state department of health, to do the following:

(1) Investigate creating a list of persons interested in receiving hemp oil from industrial hemp for medical or other beneficial purposes.

(2) Study the permitting process to be used by researchers who are supported by competent Indiana academic research institutions to study and research the healthful uses of hemp oil.

(3) Study any other issue concerning industrial hemp or hemp oil as it relates to the issues in subdivisions (1) and (2).

(c) The work group shall consult with the federal Drug Enforcement Administration concerning the issues in subsection (b).

(d) Before October 1, 2015, the Indiana board of pharmacy shall present the work group's findings at a meeting of the interim study committee on agriculture and natural resources.

(e) This SECTION expires January 1, 2016.

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

Renumber all SECTIONS consecutively.

(Reference is to HB 1181 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1009, 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:

Replace the effective date in SECTION 1 with "[EFFECTIVE UPON PASSAGE]".

Page 2, line 10, after "(5)" insert "**an individual or**".

Page 2, line 11, delete "(3)" and insert "(4)".

Page 2, between lines 12 and 13, begin a new line blocked left and insert:

**"The individuals described in subdivisions (1) through (4) must be currently employed by the school corporation whose governing body would review the proposed plan under IC 20-26.5-3-2."**

Page 2, line 14, delete "IC 20-26.5-4-1." and insert "**IC 20-26.5-5-1."**

Page 2, between lines 33 and 34, begin a new line block indented and insert:

**"(8) Age."**

Page 3, line 33, delete "a public hearing" and insert "**at least two (2) public hearings within thirty-five (35) days that are at least fifteen (15) days apart"**.

Page 4, line 8, delete "the significantly increased compensation for teachers;" and insert "**the increased salary for teachers that is significantly more than the compensation model in existence before the contract or agreement;"**.

Page 4, line 13, after "department" insert "**and state board"**.

Page 4, line 17, delete "one (1) public" and insert "**two (2) public hearings within thirty-five (35) days that are at least fifteen (15) days apart."**

Page 4, delete line 18.

Page 4, delete lines 26 through 27, begin a new paragraph and insert:

**"(c) For any collective bargaining agreement under IC 20-29 entered into after July 1, 2015, a governing body is not bound by its collective bargaining agreement for employees of a freedom to teach school, zone, or district, or for employees who participate in the career pathways pilot program under IC 20-26.5-4-4. Employees of a freedom to teach school, zone, or district, or employees who participate in the career pathways pilot program under IC 20-26.5-4-4 may organize and collectively bargain only as a unit separate from other school employees under IC 20-29. Salary increases may not be collectively bargained for employees of a freedom to teach school, zone, or district under IC 20-29. All teacher salary increases for employees of a freedom to teach school, zone, or district or employees that participate in the career pathways pilot program under IC 20-26.5-4-4 shall be determined according to the plan approved under this article."**

Page 4, line 33, delete "chapter" and insert "**article"**.

Page 4, line 33, after "practice" delete "." and insert "**as it pertains to salary increases for school employees of a freedom to teach school, zone, or district."**

Page 5, line 28, delete "and the state board" and insert "**, the state board, and the department"**.

Page 5, line 29, after "denial." insert "**A plan submitted to the department or state board under this section is for data collection purposes only and may not be construed as a request for an appeal before the state board or the department."**

Page 5, between lines 29 and 30, begin a new paragraph and insert:

**"Chapter 4. Career Pathways Pilot Program**

**Sec. 1. As used in this chapter, "career pathway teacher" means a qualified teacher participating in a school corporation's pilot program.**

**Sec. 2. As used in this chapter, "pilot program" refers to the career pathways pilot program established by section 4 of this chapter.**

**Sec. 3. As used in this chapter, "qualified teacher" refers to a teacher who works in the classroom providing instruction and who is not instructional support personnel.**

Sec. 4. (a) The career pathways pilot program is established to provide grants to school corporations selected by the state board for the development of a career pathways program to provide for, in addition to base salary and other applicable supplements, differentiated pay for qualified teachers based on a qualified teacher's demonstrated effectiveness and additional responsibilities in advanced roles.

(b) The state board shall administer the program.

(c) Grants awarded under this chapter shall be made from the freedom to teach grant fund established by IC 20-26.5-5-1.

(d) IC 20-26.5-3-3(c) applies to this chapter.

Sec. 5. (a) Before August 1, 2015, the state board shall develop the pilot program and establish the duties that are associated with advanced roles necessary for qualified teachers consistent with this section.

(b) A school corporation may apply to the state board to participate in the pilot program beginning in the 2016-2017 or the 2017-2018 school year by submitting a proposed plan to the state board in a time frame prescribed by the state board. The proposed plan must focus on the leadership capacity and commitment of the school corporation to develop career pathways that meet the requirements of this section and must be widely applicable across Indiana, as demonstrated by prior efforts to advance:

- (1) teaching excellence;
- (2) on the job development for teachers;
- (3) teacher leadership; or
- (4) leadership design.

(c) A career pathways plan developed by a school corporation under subsection (b) must meet, at a minimum, the following criteria:

(1) Enable qualified teachers to progress within their career and become career pathway teachers by doing any of the following:

(A) Assuming advanced roles that include accountability for student growth across a team of teachers.

(B) Assuming advanced roles that include accountability as the teacher of record for more students.

(2) Provide information in a form readily accessible to both teachers and the public concerning the criteria and the procedures for selection as a career pathway teacher.

(3) Require a qualified teacher to be rated as highly effective under IC 20-28-11.5-4 to be eligible to participate in the school corporation's pilot program.

(4) Increase the amount of time during the school day for a career pathway teacher to plan, collaborate on, and participate in on the job development or leadership of other teachers.

(5) Establish equally stringent eligibility requirements for a career pathway teacher to remain in an advanced role as those required to initially attain that role.

(6) Establish a procedure for determining whether a career pathway teacher is successfully performing the additional duties associated with the career pathway.

(7) Ensure that a career pathway teacher may opt out of the career pathways plan by voluntarily relinquishing additional duties associated with the career pathway.

(8) Pay career pathway salary supplements in an amount equal to at least:

(A) twenty-five percent (25%) of the career pathway teacher's salary based on the state average teacher salary at the time the plan is submitted if the career pathway teacher leads teams of two (2) or more teachers and is the teacher of record for all

the students served by the teaching team; or  
(B) ten percent (10%) of the career pathway teacher's salary based on the state average teacher salary at the time the plan is submitted if the career pathway teacher performs additional duties or functions that are specified in the school corporation's plan and approved by the state board that enable the teacher to effectively serve additional students.

(9) Require that a career pathway teacher who:

(A) fails to maintain a rating of highly effective under IC 20-28-11.5-4; or

(B) is not successfully performing the additional duties associated with the career pathway;

shall be paid only the salary applicable to the career pathway teacher based on the local salary schedule adopted under IC 20-28-9-1.5 and any other local supplements that would otherwise apply to the career pathway teacher's compensation.

(10) Require that a career pathway teacher who opts out of the career pathways plan shall be paid only the salary applicable to the career pathway teacher based on the local salary schedule adopted under IC 20-28-9-1.5 and any other local supplements that would otherwise apply to the career pathway teacher's compensation.

(11) Achieve financial sustainability for career pathway salary supplements by reallocating other funds, including local, private, state, or federal funds.

(12) Develop measures for determining how the career pathways plan must do the following:

(A) Improve the quality of classroom instruction.

(B) Increase the attractiveness of teaching.

(C) Encourage the recognition, effectiveness, and retention of high quality teachers.

(13) Increase the reach of highly effective teachers by requiring, by the third year of implementation of the plan, that at least seventy-five percent (75%) of students in each school included in the school corporation's plan to have a teacher of record, in at least language arts, mathematics, social studies, and science who is rated as highly effective.

Sec. 6. The state board shall adopt rules under IC 4-22-2 to implement this chapter.

Sec. 7. This chapter expires July 1, 2018."

Page 5, line 30, delete "4." insert "5."

Page 5, delete lines 31 through 33, begin a new paragraph and insert:

"Sec. 1. (a) The freedom to teach grant fund is established to provide grants to a:

(1) designated freedom to teach school, zone, or district awarded a grant under section 2 of this chapter; or

(2) freedom to teach team under section 3 of this chapter."

Page 6, between lines 17 and 18, begin a new paragraph and insert:

"Sec. 3. (a) The state board may award grants to freedom to teach teams to reimburse the freedom to teach team with costs associated with developing a plan under IC 20-26.5-3-2. The total amount of grants awarded by the state board under this section may not exceed twenty percent (20%) of the total amount appropriated to the fund by the general assembly in the state biennial budget during the period included in the particular state biennial budget.

(b) The state board shall develop criteria for awarding a grant under this section, including documentation requirements that must be included with the freedom to teach team's application under subsection (c).

(c) A freedom to teach team shall apply for a grant under

this section in a manner prescribed by the state board.

**(d) The state board may adopt rules under IC 4-22-2 or guidelines necessary to administer this section."**

Page 6, line 18, delete "5." insert "6."

Page 6, line 31, delete "6." insert "7."

Page 6, line 35, delete "7." insert "8."

Page 6, after line 37, begin a new paragraph and insert:

**"SECTION 2. An emergency is declared for this act."**

Re-number all SECTIONS consecutively.

(Reference is to HB 1009 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BEHNING, Chair

Report adopted.

**HOUSE BILLS ON SECOND READING**

**House Bill 1196**

Representative McNamara called down House Bill 1196 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 1196-1)

Mr. Speaker: I move that House Bill 1196 be amended to read as follows:

Page 9, line 18, after "jurisdiction" insert "assessment".

Page 15, line 22, after "the" insert "dual jurisdiction".

Page 15, line 33, after "a" insert "dual jurisdiction".

Page 15, line 34, after "for a" insert "dual jurisdiction".

Page 15, line 34, delete "who has a dual".

Page 15, line 35, delete "adjudication".

(Reference is to HB 1196 as printed February 3, 2015.)

MCNAMARA

Motion prevailed. The bill was ordered engrossed.

**House Bill 1549**

Representative Lehe called down House Bill 1549 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 1549-1)

Mr. Speaker: I move that House Bill 1549 be amended to read as follows:

Page 1, between lines 9 and 10, begin a new paragraph and insert:

**"SECTION 2. IC 15-15-1-37 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 37. (a) A person who is engaged in the business of selling agricultural or vegetable seed who enters into a contract with the purchaser under which the seller agrees to repurchase the seed crop produced by the purchaser at a price greater than the current market price of the seed at the time of delivery shall secure an annual license from the state seed commissioner to engage in that business.**

**(b) To secure a license required by this section, a person must apply for the license to the state seed commissioner. The application must be accompanied by the following:**

**(1) A bond with corporate surety, approved by the seed commissioner, in the penal sum of ten thousand dollars (\$10,000), payable to the state, for the use and benefit of any purchaser of seed who may have a cause of action against a seller who fails to comply with the terms of the purchase contract.**

**(2) A fee of one dollar (\$1) for each place of business from which agricultural or vegetable seed is distributed by the licensee.**

An applicant for a license may request the state seed commissioner to accept a verified financial statement of the applicant's assets instead of the submission of a bond. If the state seed commissioner, after an examination of the applicant's

financial statement, determines that the applicant is financially responsible for any damage that may arise out of a breach of a purchase contract, the state seed commissioner may accept the statement instead of a bond.

**(c) A license issued under this section expires at the end of the calendar year in which it is issued:**

**(d) The state seed commissioner may suspend, revoke, or refuse to issue a license under this section to any person who fails to comply with this chapter. If a hearing is waived by nonappearance of the person at the date, time, and place designated for the hearing, the state seed commissioner may proceed to act under this section and suspend, revoke, or refuse to issue a license. The failure to fulfill a contract to deliver seed sold, or the failure to repurchase the seed crop produced from any agricultural or vegetable seed sold, is prima facie evidence of intent to defraud the purchaser if the crop produced by the purchaser meets the requirements prescribed in the contract of sale. Whenever the state seed commissioner has evidence that a licensee has committed fraud on any purchaser, the state seed commissioner shall immediately start proceedings to suspend or revoke the license issued to the licensee.**

**(e) A person who recklessly, knowingly, or intentionally:**

**(1) enters into a contract with a producer of agricultural or vegetable seed, under which the person sells seed and agrees to repurchase the seed crop produced from that seed at a price greater than the current market price at the time of delivery; and**

**(2) has not obtained a license required by this section; commits a Class B misdemeanor."**

Page 2, line 28, after "of" insert "the".

Page 20, after line 17, begin a new paragraph and insert:

**"SECTION 21. IC 35-52-15-3 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 3. IC 15-15-1-37 defines a crime concerning horticulture products:"**

Re-number all SECTIONS consecutively.

(Reference is to HB 1549 as printed February 3, 2015.)

LEHE

Motion prevailed. The bill was ordered engrossed.

**House Bill 1601**

Representative Smaltz called down House Bill 1601 for second reading. The bill was reread a second time by title.

HOUSE MOTION  
(Amendment 1601-1)

Mr. Speaker: I move that House Bill 1601 be amended to read as follows:

Page 30, line 1, reset in roman "Workforce".

Page 30, line 2, reset in roman "Investment Act of 1998 (29 U.S.C. 2801 et seq.)".

Page 30, line 2, delete "WIOA".

Page 30, between lines 31 and 32, begin a new paragraph and insert:

**"(e) This section expires July 1, 2015."**

(Reference is to HB 1601 as printed January 30, 2015.)

SMALTZ

Motion prevailed. The bill was ordered engrossed.

Representative Niezgodski is now excused.

**House Bill 1609**

Representative McMillin called down House Bill 1609 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 1609-16)

Mr. Speaker: I move that House Bill 1609 be amended to read as follows:

Page 1, line 2, delete "UPON" and insert "JULY 1, 2015]".

Page 1, line 3, delete "PASSAGE]".

Page 2, line 12, delete "." and insert "**at the July meeting of the state board.**".

Page 2, delete lines 13 through 19.

(Reference is to HB 1609 as printed February 3, 2015.)

MCMILLIN

Upon request of Representatives Mahan and Eberhart, the Speaker ordered the roll of the House to be called. Roll Call 84: yeas 69, nays 26. Motion prevailed.

Representative Ziemke is now excused.

HOUSE MOTION  
(Amendment 1609-3)

Mr. Speaker: I move that House Bill 1609 be amended to read as follows:

Page 2, reset in roman line 10.

Page 2, delete lines 11 through 18.

Renumber all SECTIONS consecutively.

(Reference is to HB 1609 as printed February 3, 2015.)

AUSTIN

Upon request of Representatives Austin and Porter, the Speaker ordered the roll of the House to be called. Roll Call 85: yeas 27, nays 68. Motion failed.

HOUSE MOTION  
(Amendment 1609-5)

Mr. Speaker: I move that House Bill 1609 be amended to read as follows:

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

"SECTION 1. IC 3-5-2-48 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 48. "State office" refers to **the following offices:**

- (1) **The** governor.
- (2) **The** lieutenant governor.
- (3) **The** secretary of state.
- (4) **The** auditor of state.
- (5) **The** treasurer of state.
- (6) **The** superintendent of public instruction.
- (7) **The** attorney general.
- (8) **A** justice of the supreme court.
- (9) **A** judge of the court of appeals. ~~and~~
- (10) **A** judge of the tax court.
- (11) **For purposes of each election after December 31, 2015, a member of the Indiana state board of education.**

SECTION 2. IC 3-8-1-33, AS AMENDED BY P.L.90-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.

(b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2:

- (1) Governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, **member of the Indiana state board of education**, and state superintendent of public instruction, in accordance with IC 4-2-6-8.
- (2) Senator and representative in the general assembly, in accordance with IC 2-2.1-3-2.
- (3) Justice of the supreme court, judge of the court of appeals, judge of the tax court, judge of a circuit court, judge of a superior court, judge of a probate court, and prosecuting attorney, in accordance with IC 33-23-11-14

and IC 33-23-11-15.

(4) A candidate for a local office or school board office, in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3).

SECTION 3. IC 3-8-2.7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

**Chapter 2.7. Nomination of Candidates for State Board of Education**

**Sec. 1. This chapter applies to a candidate for election of a member of the state board.**

**Sec. 2. As used in this chapter, "candidate" refers to a candidate for election of a member of the state board.**

**Sec. 3. As used in this chapter, "state board" refers to the Indiana state board of education under IC 20-19-2.**

**Sec. 4. (a) A candidate must file a petition of nomination in accordance with this chapter. The petition of nomination, once filed, serves as the candidate's declaration of candidacy for a member of the state board.**

**(b) A candidate may be nominated by a petition of voters who are:**

- (1) **registered to vote at the residence address set forth on the petition on the date the petition is certified under this chapter; and**
- (2) **qualified to vote for the candidate.**

**(c) The petition of nomination must be signed by not less than five hundred (500) voters.**

**(d) Except as provided in this subsection, the signature, printed name, and residence address of the petitioner must be made in writing by the petitioner. If a petitioner with a disability is unable to write this information on the petition, the petitioner may authorize an individual to do so on the petitioner's behalf. The individual acting under this subsection shall execute an affidavit of assistance for each such petitioner, in a form prescribed by the commission. The form must set forth the name and address of the individual providing assistance, and the date the individual provided the assistance. The form must be submitted with the petition.**

**Sec. 5. (a) A petition of nomination for a candidate must state all of the following:**

- (1) **The name of each candidate as:**
  - (A) **the candidate wants the candidate's name to appear on the ballot; and**
  - (B) **the candidate's name is permitted to appear on the ballot under IC 3-5-7.**
- (2) **The address of each candidate, including the mailing address, if different from the residence address of the candidate.**
- (3) **The office that the candidate seeks.**
- (4) **That each petitioner is a qualified registered voter and desires to be able to vote for the candidates listed on the petition.**

**(b) The petition of nomination must be accompanied by the following:**

- (1) **The candidate's written consent to become a candidate.**
- (2) **A statement that the candidate:**
  - (A) **is aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign contributions and expenditures; and**
  - (B) **agrees to comply with the provisions of IC 3-9 referred to in clause (A).**

**The candidate must separately sign the statement required by this subdivision.**

**(3) A statement by the candidate that the candidate is aware of the requirement to file a campaign finance statement of organization under IC 3-9 after the first of either of the following occurs:**

- (A) **The candidate receives more than five hundred**

dollars (\$500) in contributions.

(B) The candidate makes more than five hundred dollars (\$500) in expenditures.

(4) A statement indicating whether or not each candidate:

(A) has been a candidate for state, legislative, local, or school board office in a previous primary, municipal, special, or general election; and

(B) has filed all reports required by IC 3-9-5-10 for all previous candidacies.

(5) A statement that each candidate is legally qualified to hold the office that the candidate seeks, including any applicable residency requirements and restrictions on service due to a criminal conviction.

(6) The statement of economic interests required under IC 4-2-6-8.

Sec. 6. (a) If a candidate's election district is located entirely within one (1) county, a petition of nomination for the candidate must be filed with the county voter registration office of the county. The county voter registration office of the county shall examine the voter registration records of the election district to determine if each petitioner is eligible to vote for the candidate being nominated by the petition.

(b) If a candidate's election district is located within more than one (1) county, a petition of nomination for the candidate must be filed with the county voter registration office of the county having the greatest percentage of population of the election district. The county voter registration office shall examine the voter registration records of each county in the election district to determine if each petitioner is eligible to vote for the candidates being nominated by the petition.

(c) When the county voter registration office has completed its determination under subsection (a) or (b), the office shall forward the petitions of nomination to the secretary of state.

Sec. 7. (a) The secretary of state shall do the following:

(1) Determine whether a sufficient number of signatures as required by section 4 of this chapter have been obtained.

(2) Do one (1) of the following:

(A) If the petition includes a sufficient number of signatures, certify:

(i) the petition; and

(ii) the name of the candidate to the county election board of each county in which the candidate's election district is located.

(B) If the petition has an insufficient number of signatures, deny the certification.

(b) If the secretary of state denies certification under subsection (a), the clerk shall notify the candidate immediately by certified mail.

(c) A candidate may contest the denial of certification based on:

(1) a county voter registration office's failure to certify individual signers as qualified petitioners; or

(2) the determination by the secretary of state that the petition has an insufficient number of signatures;

using the procedure in IC 3-8-1-2 and section 9 of this chapter that applies to questions concerning the validity of a petition of nomination.

Sec. 8. (a) A candidate's petition of nomination must be filed not earlier than one hundred four (104) days and not later than noon seventy-four (74) days before the general election. The petition must be subscribed and sworn to before a person authorized to administer oaths.

(b) A declaration of intent to be a write-in candidate must be filed not earlier than ninety (90) days before the general election and not later than noon seventy-four (74) days

before the general election. The declaration must be subscribed and sworn to before a person authorized to administer oaths.

(c) A candidate may, at any time not later than noon seventy-one (71) days before the general election, file a statement with the secretary of state, stating that the person is no longer a candidate and does not wish the person's name to appear on the election ballot as a candidate.

(d) A candidate who files a declaration of intent to be a write-in candidate may, at any time not later than noon seventy-one (71) days before the general election, file a statement with the secretary of state, stating that the person is no longer a write-in candidate for the office.

Sec. 9. (a) A candidate must give written consent to the candidacy and file the consent with the secretary of state.

(b) A candidate must satisfy all statutory eligibility requirements for the office for which the candidate is nominated, including the filing of statements of economic interest.

(c) A statement questioning the validity of a petition of nomination or contesting the denial of certification under section 7 of this chapter must be filed with the commission in accordance with IC 3-8-1-2 not later than noon sixty-seven (67) days before the date of the general election. A question regarding the validity of a petition of nomination or the denial of certification shall be referred to and determined by the commission not later than noon fifty-four (54) days before the date of the general election.

(d) A statement concerning the validity of a declaration of intent to be a write-in candidate must be filed with the commission in accordance with IC 3-8-1-2 not later than noon sixty-seven (67) days before the date of the general election. A question regarding the validity of a declaration of intent to be a write-in candidate shall be referred to and determined by the commission not later than noon fifty-four (54) days before the date of the general election.

Sec. 10. (a) This section applies if a person:

(1) files a petition of nomination under this chapter;

(2) moves from the election district that the person sought to represent following the filing of the petition of nomination;

(3) does not file a notice of withdrawal of candidacy under this chapter; and

(4) is no longer an active candidate.

(b) A candidate for the office sought by the person described in subsection (a) may, upon determining that this section applies, file an action in the circuit court in the county where the person described in subsection (a) resided. The complaint in this action must:

(1) name the person described in subsection (a) and the public official responsible for placing that person's name on the ballot as defendants;

(2) state that this section applies to the person; and

(3) be filed not later than a notice of withdrawal could have been filed under this chapter.

(c) When a complaint is filed under subsection (b), the circuit court shall conduct a hearing and rule on the petition not later than ten (10) days after the petition is filed.

(d) If the court finds in favor of the plaintiff, any votes cast for the candidate are void.

SECTION 4. IC 3-10-2-6, AS AMENDED BY P.L.230-2005, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. The following public officials shall be elected in ~~2008~~ 2016 and every four (4) years thereafter:

(1) Governor.

(2) Lieutenant governor.

(3) Attorney general.

(4) Superintendent of public instruction.

(5) The five (5) members of the Indiana state board of

education whose term of office begins the following January 1. However, at the 2016 general election, nine (9) members of the Indiana state board of education shall be elected as provided in IC 20-19-2-2.4.

SECTION 5. IC 3-10-2-7, AS AMENDED BY P.L.230-2005, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. The following public officials shall be elected in 2006 2018 and every four (4) years thereafter:

- (1) Secretary of state.
- (2) Auditor of state.
- (3) Treasurer of state.

**(4) Beginning with the 2018 general election, the four (4) members of the Indiana state board of education whose term of office begins the following January 1.**

SECTION 6. IC 3-11-2-12.9, AS AMENDED BY P.L.194-2013, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 12.9. **(a) This section applies to the following:**

**(1) The office of member of the Indiana state board of education.**

**(2) A school board office.**

~~(a) School board~~ **(b) The offices described in subsection (a)** to be elected at the general election shall be placed on the general election ballot after the offices described in section 12 of this chapter **with in the order listed in subsection (a).**

**(c) Each candidate for the an office described in subsection (a) shall be designated as "nonpartisan".**

~~(b)~~ **(d) If the ballot contains a candidate for a school board an office described in subsection (a),** the ballot must also contain a statement that reads substantially as follows: "To vote for a candidate for this office, make a voting mark on or in the square to the left of the candidate's name."

SECTION 7. IC 4-2-6-1, AS AMENDED BY P.L.114-2012, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) As used in this chapter, and unless the context clearly denotes otherwise:

(1) "Advisory body" means an authority, a board, a commission, a committee, a task force, or other body designated by any name of the executive department that is authorized only to make nonbinding recommendations.

(2) "Agency" means an authority, a board, a branch, a bureau, a commission, a committee, a council, a department, a division, an office, a service, or other instrumentality of the executive, including the administrative, department of state government. The term includes a body corporate and politic set up as an instrumentality of the state and a private, nonprofit, government related corporation. The term does not include any of the following:

- (A) The judicial department of state government.
- (B) The legislative department of state government.
- (C) A state educational institution.
- (D) A political subdivision.

(3) "Appointing authority" means the following:

- (A) Except as provided in clause (B), the chief administrative officer of an agency. The term does not include a state officer.
- (B) For purposes of section 16 of this chapter, "appointing authority" means:
  - (i) an elected officer;
  - (ii) the chief administrative officer of an agency; or
  - (iii) an individual or group of individuals who have the power by law or by lawfully delegated authority to make appointments.

(4) "Assist" means to:

- (A) help;
- (B) aid;
- (C) advise; or

(D) furnish information to; a person. The term includes an offer to do any of the actions in clauses (A) through (D).

(5) "Business relationship" includes the following:

- (A) Dealings of a person with an agency seeking, obtaining, establishing, maintaining, or implementing:
  - (i) a pecuniary interest in a contract or purchase with the agency; or
  - (ii) a license or permit requiring the exercise of judgment or discretion by the agency.
- (B) The relationship a lobbyist has with an agency.
- (C) The relationship an unregistered lobbyist has with an agency.

(6) "Commission" refers to the state ethics commission created under section 2 of this chapter.

(7) "Compensation" means any money, thing of value, or financial benefit conferred on, or received by, any person in return for services rendered, or for services to be rendered, whether by that person or another.

(8) "Direct line of supervision" means the chain of command in which the superior affects, or has the authority to affect, the terms and conditions of the subordinate's employment, including making decisions about work assignments, compensation, grievances, advancements, or performance evaluation.

(9) "Employee" means an individual, other than a state officer, who is employed by an agency on a full-time, a part-time, a temporary, an intermittent, or an hourly basis. The term includes an individual who contracts with an agency for personal services.

(10) "Employer" means any person from whom a state officer or employee or the officer's or employee's spouse received compensation. For purposes of this chapter, a customer or client of a self-employed individual in a sole proprietorship or a professional practice is not considered to be an employer.

(11) "Financial interest" means an interest:

- (A) in a purchase, sale, lease, contract, option, or other transaction between an agency and any person; or
- (B) involving property or services.

The term includes an interest arising from employment or prospective employment for which negotiations have begun. The term does not include an interest of a state officer or employee in the common stock of a corporation unless the combined holdings in the corporation of the state officer or the employee, that individual's spouse, and that individual's unemancipated children are more than one percent (1%) of the outstanding shares of the common stock of the corporation. The term does not include an interest that is not greater than the interest of the general public or any state officer or any state employee.

(12) "Information of a confidential nature" means information:

- (A) obtained by reason of the position or office held; and
- (B) which:
  - (i) a public agency is prohibited from disclosing under IC 5-14-3-4(a);
  - (ii) a public agency has the discretion not to disclose under IC 5-14-3-4(b) and that the agency has not disclosed; or
  - (iii) is not in a public record, but if it were, would be confidential.

(13) "Person" means any individual, proprietorship, partnership, unincorporated association, trust, business trust, group, limited liability company, or corporation, whether or not operated for profit, or a governmental agency or political subdivision.

(14) "Political subdivision" means a county, city, town,

township, school district, municipal corporation, special taxing district, or other local instrumentality. The term includes an officer of a political subdivision.

(15) "Property" has the meaning set forth in IC 35-31.5-2-253.

(16) "Relative" means any of the following:

- (A) A spouse.
- (B) A parent or stepparent.
- (C) A child or stepchild.
- (D) A brother, sister, stepbrother, or stepsister.
- (E) A niece or nephew.
- (F) An aunt or uncle.
- (G) A daughter-in-law or son-in-law.

For purposes of this subdivision, an adopted child of an individual is treated as a natural child of the individual. For purposes of this subdivision, the terms "brother" and "sister" include a brother or sister by the half blood.

(17) "Represent" means to do any of the following on behalf of a person:

- (A) Attend an agency proceeding.
- (B) Write a letter.
- (C) Communicate with an employee of an agency.

(18) "Special state appointee" means a person who is:

- (A) not a state officer or employee; and
- (B) elected or appointed to an authority, a board, a commission, a committee, a council, a task force, or other body designated by any name that:
  - (i) is authorized by statute or executive order; and
  - (ii) functions in a policy or an advisory role in the executive (including the administrative) department of state government, including a separate body corporate and politic.

(19) "State officer" means any of the following:

- (A) The governor.
- (B) The lieutenant governor.
- (C) The secretary of state.
- (D) The auditor of state.
- (E) The treasurer of state.
- (F) The attorney general.
- (G) The superintendent of public instruction.
- (H) Beginning January 1, 2017, a member of the Indiana state board of education.**

(20) The masculine gender includes the masculine and feminine.

(21) The singular form of any noun includes the plural wherever appropriate.

(b) The definitions in IC 4-2-7 apply throughout this chapter.

SECTION 8, IC 4-2-6-8, AS AMENDED BY P.L.23-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) The following persons shall file a written financial disclosure statement:

(1) The following:

- (A) The governor.
- (B) The lieutenant governor.
- (C) The secretary of state.
- (D) The auditor of state.
- (E) The treasurer of state.
- (F) The attorney general. ~~and~~
- (G) The state superintendent of public instruction.
- (H) Beginning January 1, 2017, a member of the Indiana state board of education. A candidate for election to be a member of the Indiana state board of education at the 2016 general election shall also file a written financial disclosure statement as provided in this section.**

(2) Any candidate for one (1) of the offices in subdivision

(1) who is not the holder of one (1) of those offices.

(3) Any person who is the appointing authority of an agency.

(4) The director of each division of the department of administration.

(5) Any purchasing agent within the procurement division of the department of administration.

(6) Any agency employee, special state appointee, former agency employee, or former special state appointee with final purchasing authority.

(7) The chief investment officer employed by the Indiana public retirement system.

(8) Any employee of the Indiana public retirement system whose duties include the recommendation, selection, and management of:

- (A) the investments of the funds administered by the Indiana public retirement system;
- (B) the investment options offered in the annuity savings accounts in the public employees' retirement fund and the Indiana state teachers' retirement fund;
- (C) the investment options offered in the legislators' defined contribution plan; or
- (D) investment managers, investment advisors, and other investment service providers of the Indiana public retirement system.

(9) An employee required to do so by rule adopted by the inspector general.

(b) The statement shall be filed with the inspector general as follows:

(1) Not later than February 1 of every year, in the case of the state officers and employees enumerated in subsection (a).

(2) If the individual has not previously filed under subdivision (1) during the present calendar year and is filing as a candidate for a state office listed in subsection (a)(1), before filing a declaration of candidacy under IC 3-8-2 or IC 3-8-4-11, petition of nomination under IC 3-8-6, or declaration of intent to be a write-in candidate under IC 3-8-2-2.5, or before a certificate of nomination is filed under IC 3-8-7-8, in the case of a candidate for one (1) of the state offices (unless the statement has already been filed when required under IC 3-8-4-11).

(3) Not later than sixty (60) days after employment or taking office, unless the previous employment or office required the filing of a statement under this section.

(4) Not later than thirty (30) days after leaving employment or office, unless the subsequent employment or office requires the filing of a statement under this section.

The statement must be made under affirmation.

(c) The statement shall set forth the following information for the preceding calendar year or, in the case of a state officer or employee who leaves office or employment, the period since a previous statement was filed:

(1) The name and address of any person known:

- (A) to have a business relationship with the agency of the state officer or employee or the office sought by the candidate; and
- (B) from whom the state officer, candidate, or the employee, or that individual's spouse or unemancipated children received a gift or gifts having a total fair market value in excess of one hundred dollars (\$100).

(2) The location of all real property in which the state officer, candidate, or the employee or that individual's spouse or unemancipated children has an equitable or legal interest either amounting to five thousand dollars (\$5,000) or more or comprising ten percent (10%) of the state officer's, candidate's, or the employee's net worth or the net worth of that individual's spouse or unemancipated children. An individual's primary personal residence need not be listed, unless it also serves as income property.

(3) The names and the nature of the business of the



employers of the state officer, candidate, or the employee and that individual's spouse.

(4) The following information about any sole proprietorship owned or professional practice operated by the state officer, candidate, or the employee or that individual's spouse:

(A) The name of the sole proprietorship or professional practice.

(B) The nature of the business.

(C) Whether any clients are known to have had a business relationship with the agency of the state officer or employee or the office sought by the candidate.

(D) The name of any client or customer from whom the state officer, candidate, employee, or that individual's spouse received more than thirty-three percent (33%) of the state officer's, candidate's, employee's, or that individual's spouse's nonstate income in a year.

(5) The name of any partnership of which the state officer, candidate, or the employee or that individual's spouse is a member and the nature of the partnership's business.

(6) The name of any corporation (other than a church) of which the state officer, candidate, or the employee or that individual's spouse is an officer or a director and the nature of the corporation's business.

(7) The name of any corporation in which the state officer, candidate, or the employee or that individual's spouse or unemancipated children own stock or stock options having a fair market value in excess of ten thousand dollars (\$10,000). However, if the stock is held in a blind trust, the name of the administrator of the trust must be disclosed on the statement instead of the name of the corporation. A time or demand deposit in a financial institution or insurance policy need not be listed.

(8) The name and address of the most recent former employer.

(9) Additional information that the person making the disclosure chooses to include.

Any such state officer, candidate, or employee may file an amended statement upon discovery of additional information required to be reported.

(d) A person who:

(1) fails to file a statement required by rule or this section in a timely manner; or

(2) files a deficient statement;

upon a majority vote of the commission, is subject to a civil penalty at a rate of not more than ten dollars (\$10) for each day the statement remains delinquent or deficient. The maximum penalty under this subsection is one thousand dollars (\$1,000).

(e) A person who intentionally or knowingly files a false statement commits a Class A infraction.

SECTION 9. IC 4-3-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. **As used in The following definitions apply throughout** this chapter:

(1) "Agency" means any executive or administrative department, commission, council, board, bureau, division, service, office, officer, administration, or other establishment in the executive or administrative branch of the state government not provided for by the constitution.

~~The term "Agency" does not include the following:~~

~~(A) The secretary of state.~~

~~(B) The auditor of state.~~

~~(C) The treasurer of state.~~

~~(D) The lieutenant governor.~~

~~(E) The state superintendent of public instruction. and~~

~~(F) The attorney general. nor~~

~~(G) A member of the Indiana state board of education.~~

~~(H) The departments of which they any of the officers~~

**listed in clauses (A) through (G)** are, by the statutes first adopted setting out their duties, the administrative heads.

(2) "Reorganization" means:

(A) the transfer of the whole or any part of any agency, or of the whole or any part of the functions thereof, to the jurisdiction and control of any other agency;

(B) the abolition of all or any part of the functions of any agency;

(C) the consolidation or coordination of the whole or any part of any agency, or of the whole or any part of the functions thereof, with the whole or any part of any other agency or the functions thereof;

(D) the consolidation or coordination of any part of any agency or the functions thereof with any other part of the same agency or the functions thereof;

(E) the authorization of any officer to delegate any of ~~his~~ **the officer's** functions; or

(F) the abolition of the whole or any part of any agency which agency or part does not have, or upon the taking effect of a reorganization plan will not have, any functions.

SECTION 10. IC 5-8-3.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) An officer who wants to resign shall give written notice of the officer's resignation as follows:

(1) The governor and lieutenant governor shall notify the principal clerk of the house of representatives and the principal secretary of the senate to act in accordance with Article 5, Section 10 of the Constitution of the State of Indiana. The clerk and the secretary shall file a copy of the notice with the office of the secretary of state.

(2) A member of the general assembly shall notify the following, whichever applies:

(A) A member of the senate shall notify the president pro tempore of the senate.

(B) A member of the house of representatives shall notify the speaker of the house of representatives.

(3) The following officers ~~commissioned by the governor under IC 4-3-1-5~~ shall notify the governor:

(A) An elector or alternate elector for President and Vice President of the United States.

(B) **The following officers:**

**(i) The secretary of state.**

**(ii) The auditor of state.**

**(iii) The treasurer of state.**

**(iv) The superintendent of public instruction. or**

**(v) The attorney general.**

**(vi) After December 31, 2016, a member of the Indiana state board of education.**

(C) An officer elected by the general assembly, the senate, or the house of representatives.

(D) A justice of the Indiana supreme court, judge of the Indiana court of appeals, or judge of the Indiana tax court.

(E) A judge of a circuit, city, county, probate, superior, town, or township small claims court.

(F) A prosecuting attorney.

(G) A circuit court clerk.

(H) A county auditor, county recorder, county treasurer, county sheriff, county coroner, or county surveyor.

(4) An officer of a political subdivision (as defined by IC 36-1-2-13) other than an officer listed in subdivision (3) shall notify the circuit court clerk of the county containing the largest percentage of population of the political subdivision.

(5) An officer not listed in subdivisions (1) through (4) shall notify the person or entity from whom the officer

received the officer's appointment.

(b) A person or an entity that receives notice of a resignation and does not have the power to fill the vacancy created by the resignation shall, not later than seventy-two (72) hours after receipt of the notice of resignation, give notice of the vacancy to the person or entity that has the power to:

- (1) fill the vacancy; or
- (2) call a caucus for the purpose of filling the vacancy."

Page 2, reset in roman line 10.

Page 2, delete lines 11 through 18, begin a new paragraph and insert:

**"(e) This section expires January 1, 2017.**

SECTION 12. IC 20-19-2-2.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 2.1. (a) This section applies beginning January 1, 2017.**

**(b) The Indiana state board of education is established.**

SECTION 13. IC 20-19-2-2.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 2.2. (a) Beginning January 1, 2017, the state board consists of the following:**

- (1) The state superintendent.
- (2) **Nine (9) members elected as provided in section 2.3 of this chapter.**

**(b) A quorum consists of six (6) members of the state board. An action of the state board is not official unless the action is authorized by at least six (6) members.**

**(c) The state superintendent serves as the chair of the state board.**

SECTION 14. IC 20-19-2-2.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 2.3. (a) This section does not apply to the state superintendent.**

**(b) Beginning with the 2016 general election, one (1) member of the state board shall be elected from each state board election district as provided in this chapter.**

**(c) Each congressional district established under IC 3-3 is a state board election district.**

**(d) A member of the state board serves a term of four (4) years, beginning January 1 after the member's election.**

**(e) The governor shall appoint an individual to fill a vacancy that occurs on the state board. An individual appointed by the governor under this subsection serves for the remainder of the unexpired term.**

**(f) Each member of the state board shall take and subscribe to an oath in writing that the member will:**

- (1) faithfully perform the duties of the office; and
- (2) support and defend to the best of the member's abilities:
  - (A) the Constitution of the United States; and
  - (B) the Constitution of the State of Indiana and the laws of the state of Indiana.

Each state board member's oath shall be filed with the secretary of state.

SECTION 15. IC 20-19-2-2.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 2.4. (a) This section does not apply to the state superintendent.**

**(b) Notwithstanding section 2(b) of this chapter, the term of office of a member of the state board serving under section 2 of this chapter expires January 1, 2017.**

**(c) A member of the state board shall be elected from each state board election district at the 2016 general election.**

**(d) Notwithstanding section 2.3(d) of this chapter, the term of office of each member elected at the 2016 general election is as follows:**

- (1) The five (5) members who receive the first, second, third, fourth, and fifth highest vote totals of all the

members elected to the board at the 2016 general election each serve a four (4) year term, beginning January 1, 2017. The successors of the members described in this subdivision shall be elected at the 2020 general election, and each serves a four (4) year term, beginning January 1, 2021.

**(2) The four (4) members who receive the sixth, seventh, eighth, and ninth highest vote totals of all the members elected to the board at the 2016 general election each serve a two (2) year term, beginning January 1, 2017. The successors of the members described in this subdivision shall be elected at the 2018 general election, and each serves a four (4) year term, beginning January 1, 2019.**

**(e) This section expires January 1, 2022."**

Renumber all SECTIONS consecutively.  
(Reference is to HB 1609 as printed February 3, 2015.)

SMITH, V.

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 86: yeas 27, nays 68. Motion failed.

#### HOUSE MOTION (Amendment 1609-2)

Mr. Speaker: I move that House Bill 1609 be amended to read as follows:

Page 1, line 4, delete ":" and insert "**the following:**".

Page 1, line 5, delete "the" and insert "The".

Page 1, line 5, delete ";" and insert ".".

Page 1, line 5, strike "and".

Page 1, line 6, strike "ten (10)" and insert "**Nine (9)**".

Page 1, line 6, delete "." and insert "**from nominees submitted to the governor under IC 20-19-2.5.**".

Page 1, strike lines 9 through 10.

Page 1, line 11, strike "(2) At least" and insert "**(1)**".

Page 1, line 11, delete "one" and insert "One".

Page 1, line 12, strike "congressional district in Indiana." and insert "**state board member district (as defined in IC 20-19-2.5-3).**".

Page 1, strike lines 13 through 14.

Page 1, line 15, strike "(4)" and insert "**(2)**".

Page 2, line 1, strike "(5)," and insert "**(3),**".

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

Page 2, line 3, strike "dismiss" and insert "**remove**".

Page 2, strike lines 4 through 6.

Page 2, between lines 12 and 13, begin a new paragraph and insert:

**"(e) A member of the state board who wishes to resign from office shall notify the governor of the resignation.**

SECTION 2. IC 20-19-2.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

**Chapter 2.5. Nomination of Members of the State Board of Education**

**Sec. 1. This chapter applies whenever there is a vacancy in the membership of the state board.**

**Sec. 2. As used in this chapter, "eligible advisor" refers to a member of the governing body of a school corporation located in a state board member district where there is a vacancy.**

**Sec. 3. As used in this chapter, "state board member district" refers to the geographic area that has the same boundaries as an Indiana congressional district established under IC 3-3.**

**Sec. 4. As used in this chapter, "vacancy" refers to an opening on the membership of the state board that occurs by reason of death, retirement, resignation, removal, or expiration of term.**

**Sec. 5. For purposes of this chapter, a school corporation is considered to be located in the state board member**

district in which the main administrative office of the school corporation is located.

Sec. 6. Whenever a vacancy on the state board occurs, the governor shall notify the state superintendent.

Sec. 7. (a) After the state superintendent receives notice under section 6 of this chapter, the department shall do the following:

- (1) Notify the governing body of each school corporation located in the state board member district represented by the vacant board position.
- (2) Publish a notice of the vacancy on the department's Internet web site.

(b) The notice under subsection (a) must be given and published not later than five (5) days after the state superintendent receives the governor's notice under section 6 of this chapter.

(c) The notice given and published under subsection (a) must contain the following information:

- (1) A statement that there is a vacancy on the state board.
- (2) A description of the geographic area of the state board member district represented by the vacant position.
- (3) A description of the process by which a vacancy on the state board is filled, including a description of the information required on an application for nomination.
- (4) A statement that individuals interested in being appointed to fill the vacancy must submit an application for nomination to the department not later than the date stated in the notice. The deadline for submission of an application for nomination is forty-five (45) days after the notice is first given or published under this section.

(d) A school corporation that receives a notice under subsection (a)(1) shall publish the notice on the school corporation's Internet web site not later than five (5) days after the school corporation's governing body receives the notice.

Sec. 8. An individual who wants to be nominated for appointment to fill a vacancy on the state board shall submit the following information to the department on forms prescribed by the department:

- (1) The individual's name.
- (2) The individual's residence address.
- (3) Other contact information required by the department.
- (4) A statement of the following:
  - (A) The individual's education and any academic honors and awards the individual has received.
  - (B) The individual's professional experience.
  - (C) The individual's activities in public service.
  - (D) Any other information the individual considers relevant to consideration of the individual's fitness to be appointed as a member of the state board.

Sec. 9. Not later than five (5) days after the deadline for submission of applications for nomination as provided in section 7 of this chapter, the department shall send the following to each eligible advisor:

- (1) A copy of the application for nomination of each individual who has submitted an application.
- (2) An evaluation form that lists the name of each applicant, in alphabetic order by surname. A box or space must be shown near the name of each applicant where the eligible advisor may insert the eligible advisor's evaluation score.
- (3) Instructions for completion and return of the evaluation form to the department.
- (4) An envelope into which the eligible advisor must insert and seal the evaluation form.

(5) A certification form. The certification form must contain the following:

(A) A certification, made under the penalties for perjury, that the individual signing the form is an eligible advisor.

(B) Places for the individual making the certification to sign and date the form.

(6) A second envelope into which the eligible advisor must insert and seal the sealed evaluation form and certification form.

Sec. 10. (a) An eligible advisor who wants to advise the governor about filling the vacancy on the state board must do the following:

(1) Assign evaluation scores to the applicants for nomination as follows:

(A) Assign the number "3" to the name of the individual the eligible advisor considers the most qualified.

(B) Assign the number "2" to the name of the individual the eligible advisor considers the most qualified after the individual described in clause (A).

(C) Assign the number "1" to the name of the individual the eligible advisor considers the most qualified after the individuals described in clauses (A) and (B).

(2) Fold the evaluation form, insert it in the envelope described in section 9(4) of this chapter, and seal the envelope.

(3) Sign and date the certification form.

(4) Insert the envelope described in subdivision (2) and the certification form in the envelope described in section 9(6) of this chapter.

(5) Seal the envelope described in subdivision (4) and return it to the department as instructed by the department.

(b) An evaluation form must be returned to the department not later than fifteen (15) days after the deadline for submission of applications for nomination provided in section 7 of this chapter.

Sec. 11. (a) When the department receives an envelope returned under section 10(a)(5) of this chapter, the department shall keep the envelope securely unopened until the deadline for return of evaluation forms under section 10(b) of this chapter.

(b) Beginning at noon on the day of the deadline for return of evaluation forms as provided in section 10(b) of this chapter, the department shall do the following:

(1) Open the envelopes returned under section 10(a)(5) of this chapter.

(2) If an envelope described in subdivision (1) does not contain a certification form signed and dated by an eligible advisor, the envelope described in section 10(a)(2) of this chapter shall be set aside, unopened.

(3) If an envelope described in subdivision (1) contains a certification form signed and dated by an eligible advisor, the certification form shall be separated from the envelope described in section 10(a)(2) of this chapter and the envelopes shall be separately batched together.

(4) After all the envelopes returned under section 10(a)(5) of this chapter have been opened, all envelopes batched together under subdivision (3) shall be opened and the evaluation score given for each applicant for nomination shall be recorded on a tally sheet.

(5) After all scores have been recorded, all scores for each applicant for nomination shall be added to establish a total score.

(6) The names of the applicants for nomination shall be

listed in order by score, with the applicant receiving the highest score listed first and the applicant with the lowest score listed last. If two (2) or more applicants for nomination receive the same score, the names of those applicants shall be listed in alphabetic order, by surname.

**Sec. 12.** The individuals nominated for appointment shall be determined as follows:

(1) If three (3) or more applicants for nomination receive the highest and same score, those applicants are nominated to fill the vacancy.

(2) If fewer than three (3) applicants are nominated as provided in subdivision (1):

(A) the applicants for nomination described in subdivision (1); and

(B) all applicants who receive the next highest score;

are nominated to fill the vacancy.

(3) If fewer than three (3) applicants are nominated as provided in subdivision (2) the applicant who receives the highest score, the applicant who receives the next highest score, and the applicant who receives the third highest score are nominated to fill the vacancy.

**Sec. 13.** (a) After determination of the nominees under section 12 of this chapter, the state superintendent shall certify the names of the nominees to the governor. The certification must state the following:

(1) The name of each nominee.

(2) The score received by each nominee.

(3) That the procedures of this chapter have been followed in determining the nominees.

(b) The state superintendent shall send the certification and a copy of the application for nomination of each nominee to the governor not later than five (5) days after the nominees are determined under section 12 of this chapter.

**Sec. 14.** The governor shall nominate an individual to fill the vacancy on the state board from the nominees certified under section 13 of this chapter."

Page 2, between lines 18 and 19, begin a new paragraph and insert:

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

(b) In order to reduce the membership of the state board to the number provided in IC 20-19-2-2, as amended by this act, the following apply:

(1) If there are one (1) or more vacancies on the membership of the state board on May 1, 2015, the governor may not fill one (1) of those vacancies.

(2) If:

(A) there are no vacancies on the state board on May 1, 2015; and

(B) no member of the state board has informed the governor that the member intends to resign from the state board before May 1, 2015;

the governor shall, before May 1, 2015, select a member of the state board. The term of office of the member selected by the governor under this subdivision expires May 1, 2015, and there is no vacancy to fill as a result of the expiration of that member's term.

(3) If subdivision (1) does not apply and the governor does not act as provided in subdivision (2):

(A) the terms of all the members of the state board appointed under IC 20-19-2-2(a)(2), as amended by this act, expire May 1, 2015; and

(B) the resulting vacancies on the state board shall be filled as provided in IC 20-19-2-2(a)(2), as amended by this act.

(c) This SECTION expires July 1, 2017."

Renumber all SECTIONS consecutively.  
(Reference is to HB 1609 as printed February 3, 2015.)

PIERCE

Upon request of Representatives Lawson and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 87: yeas 27, nays 69. Motion failed. The bill was ordered engrossed.

**OTHER BUSINESS ON THE SPEAKER'S TABLE**

**Referrals to Ways and Means**

The Speaker announced, pursuant to House Rule 127, that House Bills 1007, 1009, 1231 and 1425 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representative Hale be added as coauthor of House Bill 1007.

KIRCHHOFFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Smith, V. and Austin be added as coauthors of House Bill 1009.

BEHNING

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 Representative Porter be added as coauthor of House Bill 1108.

BURTON

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

HOUSE MOTION

Mr. Speaker: I move that Representative Wright be removed as coauthor of House Bill 1125.

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Huston be added as coauthor of House Bill 1145.

FRIZZELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Judy be added as coauthor of House Bill 1248.

MOED

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 Representative Goodin be added as coauthor of House Bill 1270.

CHERRY

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

HOUSE MOTION

Mr. Speaker: I move that Representative Wesco be added as coauthor of House Bill 1385.

GOODIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative DeLaney be added as coauthor of House Bill 1476.

KARICKHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Zent be added as coauthor of House Bill 1448.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bacon be added as coauthor of House Bill 1449.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pierce be added as coauthor of House Bill 1606.

SMALTZ

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Smith, V, the House adjourned at 3:05 p.m., this fifth day of February, 2015, until Monday, February 9, 2015, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives