



# Journal of the Senate

State of Indiana

119th General Assembly

Second Regular Session

Ninth Meeting Day

Tuesday Afternoon

January 19, 2016

The Senate convened at 1:37 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Senator James A. Tomes.

The Pledge of Allegiance to the Flag was led by Senator Tomes.

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

Alting	Leising
Arnold	Long
Banks	Merritt
Bassler	Messmer
Becker	Miller, Patricia
Boots	Miller, Pete
Bray	Mishler
Breaux	Mrvan
Broden	Niemeyer
Brown	Perfect
Buck	Raatz
Charbonneau	Randolph
Crider	Rogers
Delph	Schneider
Eckerty	Smith
Ford	Steele
Glick	Stoops
Grooms	Tallian
Head	Taylor
Hershman	Tomes
Holdman	Walker
Houchin	Waltz
Kenley	Yoder
Kruse	Young, M.
Lanane	Zakas

Roll Call 12: present 50; excused 0. [Note: A  indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

## SENATE MOTION

Madam President: I move that Engrossed Senate Bill 14, which is eligible for third reading, be returned to second reading for purposes of amendment.

HEAD

Motion prevailed.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Madam President: The Senate Committee on Rules & Legislative Procedure, to which was referred Senate Bill 57, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning elections.

Delete everything after the enacting clause and insert the following:

**SECTION 1. [EFFECTIVE JULY 1, 2016] (a) The amendment to the Constitution of the State of Indiana, adding a Section 39 to Article 1 of the Constitution of the State of Indiana, agreed to by the One Hundred Nineteenth General Assembly (P.L.258-2015) and the One Hundred Eighteenth General Assembly (P.L.224-2014) shall be submitted to the electors of Indiana at the 2016 general election in the manner provided for the submission of constitutional amendments under IC 3.**

**(b) Under Article 16, Section 1 of the Constitution of the State of Indiana, which requires the general assembly to submit constitutional amendments to the electors at the next general election after the general assembly agrees to the amendment referred to it by the last previously elected general assembly, and in accordance with IC 3-10-3, the general assembly prescribes the form in which the public question concerning the ratification of this state constitutional amendment must appear on the 2016 general election ballot as follows:**

#### "Public Question #1

**Shall the Constitution of the State of Indiana be amended by adding a Section 39 to Article 1 to provide that the right to hunt, fish, and harvest wildlife shall be forever preserved for the public good, subject only to the laws prescribed by the General Assembly and rules prescribed by virtue of the authority of the General Assembly to:**

**(1) promote wildlife conservation and management; and**

**(2) preserve the future of hunting and fishing?"**

(Reference is to SB 57 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Elections.

LONG, Chair

Report adopted.

### COMMITTEE REPORT

Madam President: The Senate Committee on Rules & Legislative Procedure, to which was referred Senate Bill 61, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill

be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 3-11-2-10, AS AMENDED BY P.L.219-2013, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) Public questions shall be placed on the general election ballot in the following order after the statement described in section 7 of this chapter, and the instructions described in subsections (d) and (e) and section 8 of this chapter:

- (1) Ratification of a state constitutional amendment.
- (2) Local public questions.

Each public question shall be placed in a separate column on the ballot.

(b) The name or title of the political party or independent ticket described in section 6 of this chapter shall be placed on the general election ballot after the public questions described in subsection (a). The device of the political party or independent ticket shall be placed immediately under the name of the political party or independent ticket. The instructions for voting a straight party ticket shall be placed to the right of the device.

(c) The instructions for voting a straight party ticket must conform as nearly as possible to the following:

"(1) To vote a straight (insert political party name) ticket for all (insert political party name) candidates on this ballot, **except for candidates described in (2) below**, make a voting mark on or in this circle and do not make any other marks on this ballot.

**(2) To vote for any candidate for an at-large office (insert county council, city common council, or town council if those offices appear on this ballot), you must make another voting mark for each candidate you wish to vote for. Your straight party vote will not count as a vote for any candidate for that office.**

**(3) If you wish to vote for a candidate seeking a nonpartisan office or on a public question, you must make another voting mark on the appropriate place on this ballot."**

(d) If the ballot contains an independent ticket described in section 6 of this chapter and at least one (1) other independent candidate, the ballot must also contain a statement that reads substantially as follows: "A vote cast for an independent ticket will only be counted for the candidates for President and Vice President or governor and lieutenant governor comprising that independent ticket. This vote will NOT be counted for any OTHER independent candidate appearing on the ballot."

(e) The ballot must also contain a statement that reads substantially as follows: "A write-in vote will NOT be counted unless the vote is for a DECLARED write-in candidate. To vote for a write-in candidate, you must make a voting mark on or in the square to the left of the name you have written in or your vote will not be counted."

(f) The list of candidates of the political party shall be placed immediately under the instructions for voting a straight party ticket. The names of the candidates shall be placed three-fourths (3/4) of an inch apart from center to center of the name. The name of each candidate must have, immediately on its left, a square three-eighths (3/8) of an inch on each side.

(g) The circuit court clerk may authorize the printing of ballots containing a ballot variation code to ensure that the proper version of a ballot is used within a precinct.

SECTION 2. IC 3-11-7-4, AS AMENDED BY P.L.219-2013, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) **Except as provided in subsection (b)**, a ballot card voting system must permit a voter to vote:

- (1) except at a primary election, a straight party ticket for all of the candidates of one (1) political party by a single **voting** mark on each ballot card;
- (2) for one (1) or more candidates of each political party or independent candidates, or for one (1) or more school board candidates nominated by petition;
- (3) a split ticket for the candidates of different political parties and for independent candidates; or
- (4) a straight party ticket and then split that ticket by casting individual votes for candidates of another political party or independent candidate.

**(b) A ballot card voting system must require that a voter who wishes to cast a ballot for a candidate for election to an at-large district on a:**

- (1) county council;**
- (2) city common council; or**
- (3) town council;**

**make a voting mark for each individual candidate for whom the voter wishes to cast a vote. The ballot card voting system may not count any straight party ticket voting mark as a vote for any candidate for an office described by this subsection.**

~~(b)~~ (c) A ballot card voting system must permit a voter to vote:

- (1) for all candidates for presidential electors of a political party or an independent ticket by making a single voting mark; and
- (2) for or against a public question on which the voter may vote.

SECTION 3. IC 3-11-7-11.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.5. A ballot card voting system must permit the counting of write-in votes in accordance with **IC 3-12-1-7 and IC 3-12-1-7.5**.

SECTION 4. IC 3-11-7-12, AS AMENDED BY P.L.128-2015, SECTION 170, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) The commission shall:

- (1) require the vendor to have tests conducted concerning the compliance of a ballot card voting system with HAVA and the standards set forth in this chapter and IC 3-11-15; and
- (2) have the results of the tests evaluated by the person designated under IC 3-11-16;

before determining whether to approve the application for certification of a ballot card voting system.

(b) **Except as provided in subsection (c)**, the tests required under this section must be performed by an independent laboratory accredited under 52 U.S.C. 20971. The vendor shall pay any testing expenses incurred under this section.

**(c) If the commission determines that it is impossible or impractical to have an independent laboratory conduct tests on a ballot card voting system, the commission may direct**

**that the tests be conducted by any other entity approved by the commission.**

(c) (d) A ballot card voting system may not be marketed, sold, leased, installed, or implemented in Indiana before the application for certification of the system is approved by the commission.

(d) (e) An approval of a ballot card voting system under this chapter expires on the date specified in section 19(a) of this chapter.

SECTION 5. IC 3-11-7-15, AS AMENDED BY P.L.169-2015, SECTION 105, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) A vendor may apply for approval of a proposed improvement or change to a ballot card voting system that is currently certified by the commission. A proposed improvement or change may not be marketed, sold, leased, installed, or implemented in Indiana before the application for the improvement or change is approved by the commission.

(b) An application for approval of an improvement or change must be in the form prescribed by the election division.

(c) The vendor applying for approval of an improvement or a change must have the improvement or change to the voting system tested by an independent laboratory accredited under 52 U.S.C. 20971. **However, if the commission determines that it is impossible or impractical to have an independent laboratory conduct tests on a proposed improvement or change to a ballot card voting system, the commission may direct that the tests be conducted by any other entity approved by the commission.** The vendor shall pay any testing expenses incurred under this subsection.

(d) The election division (or the person designated under IC 3-11-16) shall review the proposed improvement or change to the voting system and the results of the testing by the independent laboratory under subsection (c) and report the results of the review to the commission. The review must indicate:

- (1) whether the proposed improvement or change has been approved by an independent laboratory accredited under 52 U.S.C. 20971 **or as directed by the commission under subsection (c);**
- (2) whether the proposed improvement is a de minimis change or a modification;
- (3) if the proposed improvement or change is a modification, whether the modification may be installed and implemented without any significant likelihood that the voting system would be configured or perform its functions in violation of HAVA or this title; and
- (4) whether the proposed improvement or change would comply with HAVA and the standards set forth in this chapter and IC 3-11-15.

(e) After the commission has approved the application for an improvement or change (including a de minimis change) to a ballot card voting system, the improvement or change may be marketed, sold, leased, installed, or implemented in Indiana.

(f) An approval of an application under this section expires on the date specified under section 19(a) of this chapter.

SECTION 6. IC 3-11-7.5-4, AS AMENDED BY P.L.128-2015, SECTION 172, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The commission shall:

- (1) require the vendor to have tests conducted concerning the compliance of an electronic voting system with HAVA and the standards set forth in this chapter and IC 3-11-15; and
- (2) have the results of the tests evaluated by the person designated under IC 3-11-16;

before determining whether to approve the application for certification of an electronic voting system.

(b) The tests required under this section must be performed by an independent laboratory accredited under 52 U.S.C. 20971. **However, if the commission determines that it is impossible or impractical to have an independent laboratory conduct tests on an electronic voting system, the commission may direct that the tests be conducted by any other entity approved by the commission.** The vendor shall pay any testing expenses under this section.

(c) If the commission finds that an electronic voting system complies with this article, the commission may approve the system. The approved system then may be adopted for use at an election.

(d) An electronic voting system may not be marketed, sold, leased, installed, or implemented in Indiana before the application for certification of the system is approved by the commission.

(e) An approval of an electronic voting system under this chapter expires on the date specified by section 28(a) of this chapter.

SECTION 7. IC 3-11-7.5-5, AS AMENDED BY P.L.169-2015, SECTION 107, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) A vendor may apply for approval of a proposed improvement or change to an electronic voting system that is currently certified by the commission. A proposed improvement or change may not be marketed, sold, leased, installed, or implemented in Indiana before the application for the improvement or change is approved by the commission.

(b) An application for approval of an improvement or a change must be in the form prescribed by the election division.

(c) The vendor applying for approval of an improvement or a change must have the improvement or change to the voting system tested by an independent laboratory accredited under 52 U.S.C. 20971. **However, if the commission determines that it is impossible or impractical to have an independent laboratory conduct tests on a proposed improvement or change to an electronic voting system, the commission may direct that the tests be conducted by any other entity approved by the commission.** The vendor shall pay any testing expenses incurred under this subsection.

(d) The election division (or the person designated under IC 3-11-16) shall review the improvement or change to the voting system in accordance with procedures approved by the commission and the results of the testing **by the independent laboratory required** under subsection (c) and report the results of the review to the commission. The review must indicate:

- (1) whether the proposed improvement or change has been approved by an independent laboratory accredited under 52

U.S.C. 20971;

(2) whether the proposed improvement or change is a de minimis change or a modification as indicated by a report from an independent laboratory **or by the entity designated by the commission under subsection (c);**

(3) if the proposed improvement or change is a modification, whether the modification may be installed and implemented without any significant likelihood that the voting system would be configured or perform its functions in violation of HAVA or this title as indicated by a report from an independent laboratory; and

(4) whether the proposed improvement or change would comply with HAVA and the standards set forth in this chapter and IC 3-11-15.

(e) After the commission has examined and approved the application for an improvement or change to an electronic voting system (including a de minimis change), the improvement or change may be marketed, sold, leased, installed, or implemented in Indiana.

(f) An approval of an application under this section expires on the date specified by section 28(a) of this chapter.

SECTION 8. IC 3-11-7.5-10, AS AMENDED BY P.L.219-2013, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) **Except as provided in subsection (b),** an electronic voting system must permit a voter to vote:

(1) except at a primary election, a straight party ticket for all the candidates of one (1) political party by touching the device of that party;

(2) for one (1) or more candidates of each political party or independent candidates, or for one (1) or more school board candidates nominated by petition;

(3) a split ticket for the candidates of different political parties and for independent candidates; or

(4) a straight party ticket and then split that ticket by casting individual votes for candidates of another political party or independent candidates.

**(b) An electronic voting system must require that a voter who wishes to cast a ballot for a candidate for election to an at-large district on a:**

**(1) county council;**

**(2) city common council; or**

**(3) town council;**

**make a voting mark for each individual candidate for whom the voter wishes to cast a vote. The ballot card voting system may not count any straight party ticket voting mark as a vote for any candidate for an office described by this subsection.**

**(c)** An electronic voting system must permit a voter to vote:

(1) for as many candidates for an office as the voter may vote for, but no more;

(2) for or against a public question on which the voter may vote, but no other; and

(3) for all the candidates for presidential electors of a political party or an independent ticket by making a single voting mark.

SECTION 9. IC 3-11-13-14, AS AMENDED BY P.L.221-2005, SECTION 77, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) In partisan elections, the ballot labels must include a voting square or position where a voter may by one (1) **voting** mark on each card record a straight party or an independent ticket vote for all the candidates of one (1) political party or the independent ticket, except for offices for which the voter:

**(1) is required to cast an individual vote for a candidate under IC 3-11-7-4(b); or**

**(2) has voted individually for a candidate for any other office.**

**(b)** If the voter records a vote for the two (2) candidates comprising an independent ticket, the vote must not count for any other independent candidate on the ballot.

SECTION 10. IC 3-11-13-31.7, AS AMENDED BY P.L.128-2015, SECTION 193, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 31.7. (a) This section is enacted to comply with 52 U.S.C. 21081 by establishing uniform and nondiscriminatory standards to define what constitutes a vote on an optical scan voting system.

(b) After receiving ballot cards, a voter shall, without leaving the room, go alone into one (1) of the booths or compartments that is unoccupied and indicate:

(1) the candidates for whom the voter desires to vote by marking the connectable arrows, circles, ovals, or squares immediately beside:

(A) the candidates' names; or

(B) the numbers referring to the candidates; and

(2) the voter's preference on each public question by marking the connectable arrow, oval, or square beside:

(A) the word "yes" or "no" under the question; or

(B) the number referring to the word "yes" or "no" on the ballot.

(c) If an election is a general or municipal election and a voter desires to vote for all the candidates of one (1) political party or independent ticket (described in IC 3-11-2-6), the voter may mark:

(1) the circle enclosing the device; or

(2) the connectable arrow, circle, oval, or square described in section 11 of this chapter;

that designates the candidates of that political party or independent ticket (described in IC 3-11-2-6). **Except as provided by IC 3-11-7-4(b),** the voter's vote shall then be counted for all the candidates of that political party or included in the independent ticket (described in IC 3-11-2-6). However, if the voter marks the circle, arrow, oval, or square of an independent ticket (described in IC 3-11-2-6), the vote shall not be counted for any other independent candidate on the ballot.

(d) This subsection applies to a voter casting a ballot on a voting system that includes features of both an optical scan ballot card voting system and a direct record electronic voting system. After entering into a booth used with the voting system, the voter shall indicate the candidates for whom the voter desires to vote and the voter's preference on each public question by:

(1) inserting a paper ballot or an optical scan ballot into the voting system; or

(2) using headphones to listen to a recorded list of political parties, candidates, and public questions.

(e) A voter using a voting system described in subsection (d) may indicate the voter's selections by:

- (1) touching a device on or in the squares immediately adjacent to the name of a political party, candidate, or response to a public question; or
- (2) indicating the voter's choices by using a sip puff device that enables the voter to indicate a choice by inhaling or exhaling.

SECTION 11. IC 3-11-14-23, AS AMENDED BY P.L.128-2015, SECTION 194, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 23. (a) This section is enacted to comply with 52 U.S.C. 21081 by establishing uniform and nondiscriminatory standards to define what constitutes a vote on an electronic voting system.

(b) If a voter is not challenged by a member of the precinct election board, the voter may pass the railing to the side where an electronic voting system is and into the voting booth. There the voter shall register the voter's vote in secret by indicating:

- (1) the candidates for whom the voter desires to vote by touching a device on or in the squares immediately above the candidates' names;
- (2) if the voter intends to cast a write-in vote, a write-in vote by touching a device on or in the square immediately below the candidates' names and printing the name of the candidate in the window provided for write-in voting; and
- (3) the voter's preference on each public question by touching a device above the word "yes" or "no" under the question.

(c) If an election is a general or municipal election and a voter desires to vote for all the candidates of one (1) political party or group of petitioners, the voter may cast a straight party ticket by touching that party's device. **Except as provided in IC 3-11-7.5.10(b)**, the voter's vote shall then be counted for all the candidates under that name. However, if the voter casts a vote by touching the circle of an independent ticket comprised of two (2) candidates, the vote shall not be counted for any other independent candidate on the ballot.

(d) As provided by 52 U.S.C. 21081, a voter casting a ballot on an electronic voting system must be:

- (1) permitted to verify in a private and independent manner the votes selected by the voter before the ballot is cast and counted;
- (2) provided the opportunity to change the ballot or correct any error in a private and independent manner before the ballot is cast and counted, including the opportunity to receive a replacement ballot if the voter is otherwise unable to change or correct the ballot; and
- (3) notified before the ballot is cast regarding the effect of casting multiple votes for the office and provided an opportunity to correct the ballot before the ballot is cast and counted.

SECTION 12. IC 3-11-15-13.3, AS AMENDED BY P.L.128-2015, SECTION 195, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13.3. (a) To be approved by the commission for use in Indiana, a voting system must meet **one (1) of the following**:

(1) The Voting System Standards adopted by the Federal Election Commission on April 30, 2002. ~~or~~

(2) The Voluntary Voting System Guidelines adopted by the United States Election Assistance Commission on December 13, 2005.

**(3) The Voluntary Voting System Guidelines adopted by the United States Election Assistance Commission, as amended on March 31, 2015.**

(b) A county may continue to use an optical scan ballot card voting system or an electronic voting system whose approval or certification expired on or before October 1, ~~2013~~; **2017**, if the voting system:

- (1) was:
  - (A) approved by the commission for use in elections in Indiana before October 1, ~~2013~~; **2017**; and
  - (B) purchased **or leased** by the county before October 1, ~~2013~~; **2017**; and
- (2) otherwise complies with the applicable provisions of HAVA and this article.

However, a voting system vendor may not market, sell, lease, or install a voting system described in this subsection.

(c) As provided by 52 U.S.C. 21081, to be used in an election in Indiana, a voting system must be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters.

(d) As provided by 52 U.S.C. 21081, an election board conducting an election satisfies the requirements of subsection (c) if the election board provides at least one (1) electronic voting system or other voting system equipped for individuals with disabilities at each polling place.

(e) If a voter who is otherwise qualified to cast a ballot in a precinct chooses to cast the voter's ballot on the voting system provided under subsection (d), the voter must be allowed to cast the voter's ballot on that voting system, whether or not the voter is an individual with disabilities.

SECTION 13. IC 3-12-1-5, AS AMENDED BY P.L.219-2013, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This subsection does not apply to a ballot card voting system or an electronic voting system. **Except as provided in subsection (d)**, a voting mark made by a voter on or in a voting square at the left of a candidate's name or political party's name shall be counted as a vote for the candidate or candidates of the political party.

(b) This subsection applies to a ballot card voting system. A voting mark made by a voter:

- (1) on or in a circle, oval, or square; or
- (2) to connect a connectable arrow;

immediately below or beside a candidate's name or political party's name shall be counted as a vote for the candidate or candidates of the political party, **except as provided in subsection (d)**.

(c) This subsection applies to a direct record electronic voting system. A voting mark made by a voter touching a touch sensitive point or button below or beside a candidate's name or political party's name shall be counted as a vote for the candidate

or candidates of the political party, **except as provided in subsection (d).**

**(d) A voter who wishes to cast a ballot for a candidate for election to an at-large district on a:**

- (1) county council;**
- (2) city common council; or**
- (3) town council;**

**must make a voting mark for each individual candidate for whom the voter wishes to cast a vote. A straight ticket voting mark on a paper ballot, ballot card voting system, or electronic voting system shall not be counted as a straight party ticket voting mark as a vote for any candidate for an office described by this subsection.**

SECTION 14. IC 3-12-1-7, AS AMENDED BY P.L.164-2006, SECTION 124, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) This subsection applies whenever a voter:

- (1) votes a straight party ticket; and
- (2) votes only for one (1) or more individual candidates who are all of the same political party as the straight ticket vote.

**Except as provided in subsection (d) or (e),** the straight ticket vote shall be counted and the individual candidate votes may not be counted.

(b) This subsection applies whenever:

- (1) a voter has voted a straight party ticket for the candidates of one (1) political party;
- (2) only one (1) person may be elected to an office; and
- (3) the voter has voted for one (1) individual candidate for the office described in subdivision (2) who is:
  - (A) a candidate of a political party other than the party for which the voter voted a straight ticket; or
  - (B) an independent candidate **or declared write-in candidate** for the office.

If the voter has voted for one (1) individual candidate for the office described in subdivision (2), the individual candidate vote for that office shall be counted, the straight party ticket vote for that office may not be counted, and the straight party ticket votes for other offices on the ballot shall be counted.

(c) This subsection applies whenever:

- (1) a voter has voted a straight party ticket for the candidates of one (1) political party; and
- (2) the voter has voted for more individual candidates for the office than the number of persons to be elected to that office.

The individual candidate votes for that office may not be counted, the straight party ticket vote for that office may not be counted, and the straight party ticket votes for other offices on the ballot shall be counted.

(d) This subsection applies whenever:

- (1) a voter has voted a straight party ticket for the candidates of one (1) political party;
- (2) more than one (1) person may be elected to an office; and
- (3) the voter has voted for individual candidates for the office described in subdivision (2) who are:
  - (A) independent candidates **or declared write-in candidates;**

(B) candidates of a political party other than the political party for which the voter cast a straight party ticket under subdivision (1); or

(C) a combination of candidates described in clauses (A) and (B).

The individual votes cast by the voter for the office for the independent candidates, **declared write-in candidates**, and the candidates of a political party other than the political party for which the voter cast a straight party ticket **shall may not** be counted. ~~The straight party ticket vote cast by that voter for that office shall be counted unless the total number of votes cast for the office by the voter, when adding the voter's votes for the individual candidates for the office and the voter's straight party ticket votes for the office, is greater than the number of persons to be elected to the office. If the total number of votes cast for the office is greater than the number of persons to be elected to the office, the straight party ticket votes for the office may not be counted.~~ The straight party ticket votes for other offices on the voter's ballot shall be counted.

(e) This subsection applies whenever:

- (1) a voter has voted a straight party ticket for the candidates of one (1) political party;
- (2) more than one (1) person may be elected to an office; and
- (3) the voter has voted for individual candidates for the office described in subdivision (2) who are:
  - (A) independent candidates, **declared write-in candidates**, or candidates of a political party other than the political party for which the voter cast a straight party ticket under subdivision (1); and
  - (B) candidates of the same political party for which the voter cast a straight party ticket under subdivision (1).

The individual votes cast by the voter for the office for the independent candidates, **the declared write-in candidates**, and the candidates of a political party other than the political party for which the voter cast a straight party ticket, **and the candidates of the political party for which the voter cast a straight party ticket** shall be counted ~~The individual votes cast by the voter for the office for the candidates of the same political party for which the voter cast a straight party ticket may not be counted. The straight party ticket vote cast by that voter for that office shall be counted unless the total number of votes cast for the office by the voter, when adding the voter's votes for the individual candidates for the office and the voter's straight party ticket vote for the office is greater than the number of persons to be elected to the office. If the total number of votes cast for the office is greater than the number of persons to be elected to the office, the straight party ticket votes for that office may not be counted. unless the total number of these individual votes is greater than the number of persons to be elected to the office.~~ The straight party ticket votes for other offices on the voter's ballot shall be counted.

(f) If a voter votes a straight party ticket for more than one (1) political party, the whole ballot is void with regard to all candidates nominated by a political party, **declared write-in candidates**, or **candidates** designated as independent candidates on the ballot. However, the voter's vote for a school board

candidate or on a public question shall be counted if otherwise valid under this chapter.

(g) If a voter does not vote a straight party ticket and the number of votes cast by that voter for the candidates for an office are less than or equal to the number of openings for that office, the individual candidates votes shall be counted.

(h) If a voter does not vote a straight party ticket and the number of votes cast by that voter for an office exceeds the number of openings for that office, none of the votes concerning that office may be counted.

SECTION 15. IC 3-12-1-7.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7.5. ~~(a) If a voter votes a straight party ticket for at least one (1) office for which only one (1) person may be elected and writes in the name of a candidate; the straight party ticket vote shall be counted for all offices except the offices for which a write-in vote was cast. The write-in vote shall be counted if the voter's intent can be determined:~~

~~(b) If a voter votes a straight party ticket for an office for which at least two (2) people may be elected and writes in the name of a candidate; the straight party vote for that office may not be counted unless:~~

- ~~(1) fewer candidates appear on the party's ticket than may be elected; and~~
- ~~(2) the voter has not written in a number of names that, when added to the straight party candidate's name, would be greater than the number of seats available for that office.~~

~~(c) If a voter votes for one (1) individual candidate for an office for which only one (1) person may be elected and also writes in the name of another candidate for the same office; neither vote may be counted.~~

~~(d) If a voter votes for at least one (1) individual candidate for an office for which at least two (2) people may be elected and also writes in the name of at least one (1) candidate; the vote for that office may not be counted unless the number of individual votes cast for the office, when added to the number of write-in votes cast for that office; is less than or equal to the number of seats available for that office.~~

~~(e) If a voter votes an individual or a straight party vote for a candidate for an office and also writes in the name of the same candidate for the same office, only one (1) vote for that candidate may be counted.~~

SECTION 16. IC 3-12-1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. **(a) Except as provided in subsection (b), a voting mark made by a voter on or in a circle containing a political party device shall be counted as a vote for each candidate of that political party on that ballot.**

**(b) A voter who wishes to cast a ballot for a candidate for election to an at-large district on a:**

- (1) county council;**
- (2) city common council; or**
- (3) town council;**

**must make a voting mark for each individual candidate for whom the voter wishes to cast a vote. A voting mark on or in a circle containing a political party device shall not be counted as a straight party ticket voting mark as a vote for any candidate for an office described by this subsection.**

**SECTION 17. An emergency is declared for this act.**

(Reference is to SB 61 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Elections.

LONG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family & Children Services, to which was referred Senate Bill 131, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 9, delete ":",

Page 3, line 10, delete "(A)".

Page 3, run in lines 9 through 10.

Page 3, line 11, delete "or".

Page 3, delete lines 12 through 13.

Page 3, line 14, delete "critical care unit";

Page 3, run in lines 11 through 14.

Page 3, line 18, after "Unless" insert ":

**(1) for purposes of a near fatality, a police investigation is ongoing; or**

**(2)".**

Page 3, line 19, delete "," and insert ",";

Page 3, line 19, beginning with "a" begin a new line blocked left.

(Reference is to SB 131 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family & Children Services, to which was referred Senate Bill 159, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 31-9-2-0.8, AS ADDED BY P.L.80-2010, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 0.8. "Active duty", for purposes of IC 31-14-13-6.3, ~~and~~ IC 31-17-2-21.3, **IC 31-33-8-7, and IC 31-33-14-3,** means full-time service in:

(1) the armed forces of the United States (as defined in IC 5-9-4-3); or

(2) the National Guard (as defined in IC 5-9-4-4);

for a period that exceeds thirty (30) consecutive days in a calendar year."

Page 2, line 30, delete "reported allegation" and insert "**substantiated investigation**".

Page 2, line 42, delete ";" and insert "**, if a parent, guardian, or custodian of a child who is the subject of the assessment is an active duty member of the military;**".

Page 3, after line 8, begin a new paragraph and insert:

"SECTION 3. IC 31-33-14-3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 3. If:**

**(1) the department determines that the best interests of the child require intervention by the department or action in the juvenile or criminal court; and**

**(2) a parent, guardian, or custodian of the child is an active duty member of:**

**(A) the armed forces of the United States;**

**(B) the reserve component of a branch of the armed forces of the United States; or**

**(C) the national guard;**

**the department may seek the assistance of the United States Department of Defense family advocacy program in determining and providing appropriate services for the child and family."**

Renumber all SECTIONS consecutively.

(Reference is to SB 159 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

GROOMS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs & The Military, to which was referred Senate Bill 233, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, between lines 31 and 32, begin a new paragraph and insert:

**"(d) This subsection applies if a taxpayer is not entitled to a refund or if the taxpayer has under subsection (a) or (b) designated that all of the taxpayer's refund be directed to a fund listed in subsection (c) or a combination of the funds listed in subsection (c). In addition to a designation under subsection (a) or (b), a taxpayer who files an individual income tax return or joint income tax return may designate on the taxpayer's annual state income tax return an amount that the taxpayer desires to contribute to the military family relief fund by stating the amount of the contribution. However, the amount may not be less than one dollar (\$1). The department shall, on the individual income tax return and joint income tax return, include a statement explaining that a contribution under this subsection will increase the amount that must be remitted with the tax return."**

Page 2, line 32, strike "(d)" and insert "(e)".

Page 3, line 3, strike "(e)" and insert "(f)".

Page 3, line 4, after "(a)" insert ",".

Page 3, line 4, before "(b)" strike "or".

Page 3, line 4, after "(b)" insert ", or (d)".

(Reference is to SB 233 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

BANKS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs & The Military, to which was referred Senate Bill 295, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Appropriations. Committee Vote: Yeas 7, Nays 0.

BANKS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Family & Children Services, to which was referred Senate Bill 305, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 7, between lines 37 and 38, begin a new paragraph and insert:

**"(c) A child is a child in need of services if, before the child becomes eighteen (18) years of age:**

**(1) the child lives in the same household as an adult who:**

**(A) committed a human or sexual trafficking offense under IC 35-42-3.5-1 that resulted in a conviction or a judgment under IC 31-34-11-2; or**

**(B) has been charged with a human or sexual trafficking offense under IC 35-42-3.5-1 and is awaiting trial; and**

**(2) the child needs care, treatment, or rehabilitation that:**

**(A) the child is not receiving; and**

**(B) is unlikely to be provided or accepted without the coercive intervention of the court."**

Renumber all SECTIONS consecutively.

(Reference is to SB 305 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

GROOMS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs & The Military, to which was referred Senate Bill 362, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

BANKS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Rules & Legislative Procedure, to which was referred Senate Joint Resolution 6, has had the same under consideration and begs

leave to report the same back to the Senate with the recommendation that said joint resolution be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Nineteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 1 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY ADDING A NEW SECTION TO READ AS FOLLOWS: **Section 40. (a) The people of Indiana desire to:**

**(1) protect the rights of ownership of property and the adequate production of food, fuel, fiber, and shelter, while maintaining the common law; and**

**(2) promote agriculture as a central activity to be conducted in Indiana, and to maintain agriculture as a vital economic activity serving as a foundation and stabilizing force of Indiana's economy.**

**(b) The right of the people of Indiana to engage in diverse farming and ranching practices is guaranteed by this Constitution.**

**(c) The General Assembly may not pass a law that unreasonably abridges the right of farmers and ranchers to employ or refuse to employ effective agricultural technology and livestock production and ranching practices.**

**(d) This section does not modify any:**

**(1) provision of the common law;**

**(2) statute relating to trespass or eminent domain; or**

**(3) other property right, existing or previously enacted statute, or existing or previously adopted administrative rule.**

(Reference is to SJR 6 as introduced.)

and when so amended that said joint resolution be reassigned to the Senate Committee on Agriculture.

LONG, Chair

Report adopted.

SENATE MOTION

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

HCR 9 Senator Lanane

Congratulating the Wapahani High School girls volleyball team on the occasion of its Class 2A state championship victory.

LONG

Motion prevailed.

**RESOLUTIONS ON FIRST READING**

**House Concurrent Resolution 9**

House Concurrent Resolution 9, sponsored by Senator Lanane:

A CONCURRENT RESOLUTION congratulating the Wapahani High School girls volleyball team on the occasion of its Class 2A state championship victory.

*Whereas, On November 7, 2015, the Wapahani High School girls volleyball team became the Class 2A state volleyball champion for the third time in five years and the fourth time overall;*

*Whereas, The Raiders received a match-high 28 kills from Skyler Van Note to lead the team to victory over Speedway at Worthen Arena at Ball State University;*

*Whereas, Estella Davis contributed 12 kills and Hannah Smith and Havyn Gates led the team defensively with 19 and 13 digs, respectively;*

*Whereas, Skyler Van Note and Hannah Smith also provided three service aces each and Lexi Spence added 46 assists;*

*Whereas, The sixth-ranked Raiders outlasted the Speedway Sparkplugs to take the championship by scores of 25-17, 21-25, 25-20, and 25-19;*

*Whereas, The coaching staff, consisting of head coach Jared Richardson and assistant coaches Jenna Eastham and Katina Nickels, deserves much of the credit for the remarkable success of this outstanding team;*

*Whereas, Other contributors to the state championship victory are managers Dacey Gibson and Andrew Feistritz and athletic director Matt Luce; and*

*Whereas, It is fitting that we give special recognition to the talented young ladies, coaches, and managers of the Wapahani High School girls volleyball team: Therefore,*

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

SECTION 1. That the Indiana General Assembly wishes to congratulate the Wapahani High School Raiders on their Class 2A state volleyball championship and to wish each team member, manager, and coach success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to each team member, head coach Jared Richardson, assistant coaches Jenna Eastham and Katina Nickels, athletic director Matt Luce, principal Mark Fahey, and superintendent Bryan Rausch.

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

SENATE MOTION

Madam President: I move that Senate Bill 36, assigned to the Senate Committee on Judiciary, be withdrawn from further consideration by the Senate.

TOMES

Motion prevailed.

## SENATE BILLS ON SECOND READING

### Senate Bill 9

Senator Raatz called up Senate Bill 9 for second reading. The bill was read a second time by title.

#### SENATE MOTION (Amendment 9-1)

Madam President: I move that Senate Bill 9 be amended to read as follows:

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

"SECTION 1. IC 20-24-2-3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2016]: **Sec. 3. The board of a charter school must consist of at least two (2) members who reside within the geographic boundaries of the school corporation in which the charter school is located.**

SECTION 2. IC 20-24-3-4, AS AMENDED BY P.L.221-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) An organizer may submit to the authorizer a proposal to establish a charter school.

(b) A proposal must contain at least the following information:

- (1) Identification of the organizer.
- (2) A description of the organizer's organizational structure and governance plan.
- (3) The following information for the proposed charter school:
  - (A) Name.
  - (B) Purposes.
  - (C) Governance structure.
  - (D) Management structure.
  - (E) Educational mission goals.
  - (F) Curriculum and instructional methods.
  - (G) Methods of pupil assessment.
  - (H) Admission policy and criteria, subject to IC 20-24-5.
  - (I) School calendar.
  - (J) Age or grade range of students to be enrolled.
  - (K) A description of staff responsibilities.
  - (L) A description of the physical plant.
  - (M) Budget and financial plans.
  - (N) Personnel plan, including methods for selection, retention, and compensation of employees.
  - (O) Transportation plan.
  - (P) Discipline program.
  - (Q) Plan for compliance with any applicable desegregation order.
  - (R) The date when the charter school is expected to:
    - (i) begin school operations; and
    - (ii) have students attending the charter school.
  - (S) The arrangement for providing teachers and other staff with health insurance, retirement benefits, liability insurance, and other benefits.

(T) Any other applications submitted to an authorizer in the previous five (5) years.

(4) The manner in which the authorizer must conduct an annual audit of the program operations of the charter school.

**(c) Beginning July 1, 2016, at the time the organizer submits a proposal under subsection (a), an organizer shall submit to the authorizer and department the following for each board member of the proposed charter school:**

**(1) A statement of any economic interest in the proposed charter school.**

**(2) A written financial disclosure statement.**

(e) (d) In the case of a charter school proposal from an applicant that currently operates one (1) or more charter schools in any state or nation, the request for proposals shall additionally require the applicant to provide evidence of past performance and current capacity for growth.

(f) (e) If the proposal described in subsection (a) concerns an existing charter school overseen by a different authorizer than the authorizer to which the organizer is submitting the proposal, the proposal must include written acknowledgement of the proposal from the current authorizer. Additionally, the authorizer receiving the proposal shall consult with the current authorizer before granting approval of the proposal.

(g) (f) This section does not waive, limit, or modify the provisions of:

- (1) IC 20-29 in a charter school where the teachers have chosen to organize under IC 20-29; or
- (2) an existing collective bargaining agreement for noncertificated employees (as defined in IC 20-29-2-11).

SECTION 3. IC 20-24-3-4.3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2016]: **Sec. 4.3. (a) After the department receives the information submitted under section 4(c) of this chapter, the department shall:**

**(1) determine whether a board member of a proposed charter school has a conflict of interest; and**

**(2) if the department determines that a board member has a conflict of interest, send the department's findings to the state board, authorizer, and organizer.**

**(b) The organizer has thirty (30) days from the date the organizer receives the notice under subsection (a) to respond to the department concerning the findings.**

**(c) After the thirty (30) day period described in subsection (b), the department shall:**

- (1) consider any response from the organizer; and**
- (2) if the department determines that the board member has a conflict of interest, issue a recommendation to the state board to reject the proposal for the establishment of the charter school.**

**(d) Upon receipt of the department's recommendation, the state board shall:**

- (1) approve, deny, or modify the department's findings; and**

**(2) issue an order with the state board's findings to the authorizer and organizer.**

SECTION 4. IC 20-24-3-4.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 4.4. If the authorizer receives an order from the state board with findings that a member of the board of a proposed charter school has a conflict of interest, the authorizer shall reject the proposal for the charter school."**

Page 2, after line 32, begin a new paragraph and insert:

"SECTION 7. IC 20-24-9-7, AS AMENDED BY P.L.280-2013, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 7. If an organizer of a charter school maintains an Internet web site for a charter school, The organizer of the a charter school shall:**

**(1) maintain an Internet web site for the charter school; and**

**(2) publish, on the Internet web site, the names of the members of the charter school's governing body on the charter school's Internet web site; and contact information of all the following:**

**(A) The board members of the charter school.**

**(B) Any officers or administrators of the charter school.**

SECTION 8. IC 20-24-9-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 8. Not later than July 1, 2017, and July 1, for each year thereafter, each board member of a charter school shall submit to the authorizer and department the following:**

**(1) A statement of any economic interest in the charter school.**

**(2) A written financial disclosure statement.**

SECTION 9. IC 20-24-9-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 9. (a) After the department receives the information submitted under section 8 of this chapter, the department shall:**

**(1) determine whether a board member of a charter school has a conflict of interest; and**

**(2) if the department determines that a board member has a conflict of interest, send the department's findings to the state board, authorizer, and organizer.**

**(b) The organizer has thirty (30) days from the date the organizer receives the notice under subsection (a) to respond to the department concerning the findings.**

**(c) After the thirty (30) day period described in subsection (b), the department shall:**

**(1) consider any response from the organizer; and**

**(2) if the department determines that the board member has a conflict of interest, issue a recommendation to the state board to request that the charter school replace the board member.**

**(d) Upon receipt of the department's recommendation, the state board shall:**

**(1) approve, deny, or modify the department's findings; and**

**(2) issue an order with the state board's findings to the authorizer and organizer.**

SECTION 10. IC 20-24-9-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 10. (a) This section applies only to charters established or renewed after July 1, 2016.**

**(b) If an authorizer receives an order from the state board under section 9 of this chapter with findings that a board member has a conflict of interest, the authorizer shall request that the charter school replace the board member.**

**(c) If an organizer does not:**

**(1) replace the board member; and**

**(2) notify the authorizer and state board of the new board member and provide the information described in section 8 of this chapter for the new board member; not later than sixty (60) days after the date the authorizer requests the replacement, the authorizer shall revoke the charter of the charter school.**

SECTION 11. IC 20-24-9-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 11. Beginning July 1, 2016, at least fifty percent (50%) of the public meetings of a charter school board must be located in the geographic boundaries of the school corporation in which the charter school is located."**

Renumber all SECTIONS consecutively.

(Reference is to SB 9 as printed January 15, 2016.)

TALLIAN

After discussion, Senator Tallian withdrew the motion. The bill was ordered engrossed.

#### Senate Bill 73

Senator Leising called up Senate Bill 73 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 75

Senator Leising called up Senate Bill 75 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 81

Senator M. Young called up Senate Bill 81 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 87

Senator Kenley called up Senate Bill 87 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 87-1)

Madam President: I move that Senate Bill 87 be amended to read as follows:

Page 4, delete line 42, begin a new paragraph and insert:

"SECTION 5. IC 6-1.1-28-0.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: **Sec. 0.2. (a) Each multiple county property tax assessment board of appeals established under section 0.1 of this chapter must consist of either of the following number of members:**

**(1) Three (3) members, not more than two (2) of whom may be from the same political party.**

**(2) Five (5) members, not more than three (3) of whom may be from the same political party.**

**The ordinance adopted under section 0.1 of this chapter to establish a multiple county property tax assessment board of appeals must specify the number of members of the multiple county property tax assessment board of appeals as provided in this subsection.**

**(b) Each member of a multiple county property tax assessment board of appeals must be at least eighteen (18) years of age and knowledgeable in the valuation of property.**

**(c) A majority of the members of a multiple county property tax assessment board of appeals must have attained the certification of a level two or a level three assessor-appraiser under IC 6-1.1-35.5.**

**(d) The following individuals may not be members of a multiple county property tax assessment board of appeals:**

**(1) An elected county official.**

**(2) An employee of a county or township that is in the geographic area within the jurisdiction of the multiple county property tax assessment board of appeals.**

**(3) An appraiser (as defined in IC 6-1.1-31.7-1) in a county that is in the geographic area within the jurisdiction of the multiple county property tax assessment board of appeals."**

Page 5, delete lines 1 through 32.

Page 5, delete lines 40 through 42, begin a new paragraph and insert:

"SECTION 7. IC 6-1.1-28-0.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: **Sec. 0.4. (a) The fiscal bodies of the counties that establish a multiple county property tax assessment board of appeals under section 0.1 of this chapter shall adopt substantially similar ordinances to appoint the members of the multiple county property tax assessment board of appeals subject to the qualifications and requirements set forth in section 0.2 of this chapter.**

**(b) The term of a member of a multiple county property tax assessment board of appeals appointed under this section:**

**(1) is one (1) year; and**

**(2) begins January 1.**

**A member is eligible for reappointment.**

**(c) If:**

**(1) the term of a member of a multiple county property tax assessment board of appeals appointed under this section expires;**

**(2) the member is not reappointed as provided in subsection (a); and**

**(3) a successor is not appointed as provided in subsection (a);**

**the term of the member continues until a successor is appointed."**

Page 6, delete lines 1 through 7.

Renumber all SECTIONS consecutively.

(Reference is to SB 87 as printed January 15, 2016.)

KENLEY

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 91**

Senator Steele called up Senate Bill 91 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 109**

Senator Messmer called up Senate Bill 109 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 109-1)

Madam President: I move that Senate Bill 109 be amended to read as follows:

Page 1, delete lines 10 through 17, begin a new paragraph and insert:

"SECTION 4. IC 14-11-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2016]: **Sec. 1.** This chapter applies to applications for licenses under the following:

~~(1) IC 14-22-26-3(2) (wild animals);~~

~~(2) (1) IC 14-26-2 (lake preservation).~~

~~(3) (2) IC 14-26-5 (dams).~~

~~(4) (3) IC 14-28-1 (flood control).~~

~~(5) (4) IC 14-29-3 (removal of substances from streams).~~

~~(6) (5) IC 14-29-4 (construction of channels).~~

SECTION 5. IC 14-22-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1. (a)** All wild animals, except those that are:

**(1) legally owned or being held in captivity** under a license or permit as required by this article; or

**(2) otherwise excepted in this article;**

are the property of the people of Indiana.

**(b) The department shall protect provide for the protection and properly manage the fish and wildlife resources of proper management of all legally or publicly owned wild animals in Indiana.**

SECTION 6. IC 14-22-1-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.5. This article does not apply to legally owned captive bred cervidae.**

SECTION 7. IC 14-22-1-1.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.7. This article does not apply to legally owned captive bred members of the bovidae family described in IC 15-17-14.7-3.**

Page 2, delete lines 1 through 10.

Page 7, delete lines 32 through 42, begin a new paragraph and insert:

**"(h) The name, mailing address, electronic mail address, and telephone number of an individual issued a special hunting permit under this section is confidential for purposes of IC 5-14-3-4.**

**Sec. 10. (a) The board shall provide a licensed owner with a transportation tag or a cull tag to be affixed as follows to every permitted animal taken on the licensed owner's hunting preserve:**

**(1) The licensed owner shall cause a transportation tag to be affixed to each permitted animal taken by a hunter on the hunting preserve.**

**(2) The licensed owner shall cause a cull tag to be affixed to each animal culled by the licensed owner.**

**(b) A hunter may not transport or possess a permitted animal taken on a hunting preserve unless a transportation tag is affixed to the permitted animal. A transportation tag affixed to a permitted animal taken by a hunter on a hunting preserve is considered to be the bill of sale for the sale of the permitted animal by the licensed owner to the hunter.**

**(c) A licensed owner may not transport a permitted animal culled from the hunting preserve by the licensed owner unless a cull tag is affixed to the permitted animal. A culled permitted animal may be transported from the hunting preserve to be processed for the personal consumption of the licensed owner or to be donated to charity. The board may not charge a licensed owner for a cull tag provided under this section."**

Page 8, delete lines 1 through 8.

Page 9, between lines 31 and 32, begin a new paragraph and insert:

**"SECTION 20. [EFFECTIVE APRIL 1, 2016] (a) IC 14-11-4-1, as amended by this act, applies to applications for licenses filed after March 31, 2016.**

**(b) This SECTION expires January 1, 2017."**

Renumber all SECTIONS consecutively.

(Reference is to SB 109 as printed January 13, 2016.)

MESSMER

Motion prevailed.

SENATE MOTION  
(Amendment 109-2)

Madam President: I move that Senate Bill 109 be amended to read as follows:

Page 5, line 40, after "(a)" insert **"Only a person described in subdivision (1) is eligible to receive an initial hunting preserve license."**

Page 5, between lines 41 and 42, begin a new line block indented and insert:

**"(1) operated a hunting preserve on January 1, 2016, and continues to operate the hunting preserve as of the date that the person applies for an initial hunting preserve license;"**

Page 5, line 42, delete "(1)" and insert "(2)".

Page 6, line 1, delete "(2)" and insert "(3)".

Page 6, line 1, delete "three hundred dollars (\$300)." and insert **"five thousand dollars (\$5,000)."**

Page 6, line 3, after "acquires a" insert **"licensed"**.

Page 6, line 6, delete "obtain a hunting preserve license from the board;" and insert **"renew the hunting preserve license for the hunting preserve under subsection (d);"**

Page 6, line 13, delete "three hundred dollars (\$300);" and insert **"one thousand dollars (\$1,000);"**

(Reference is to SB 109 as printed January 13, 2016.)

STOOPS

Motion failed.

SENATE MOTION  
(Amendment 109-3)

Madam President: I move that Senate Bill 109 be amended to read as follows:

Page 1, line 15, after ";" insert **"or"**.

Page 1, line 16, delete "or".

Page 1, delete line 17.

Page 2, delete line 1.

Page 5, delete lines 35 through 39, begin a new paragraph and insert:

**"Sec. 3. As used in this chapter, "permitted animal" means a legally owned captive bred member of the cervidae family."**

Page 7, line 27, delete "doe, a sheep, or a goat" and insert **"doe"**.

(Reference is to SB 109 as printed January 13, 2016.)

STOOPS

Motion failed.

SENATE MOTION  
(Amendment 109-5)

Madam President: I move that Senate Bill 109 be amended to read as follows:

Delete the title and insert the following:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 14-8-2-50.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 50.4. "Computer assisted remote hunting", for purposes of IC 14-22-6-15, has the meaning set forth in IC 14-22-6-15(a).**

SECTION 2. IC 14-8-2-50.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 50.6. "Computer assisted remote hunting facility", for purposes of IC 14-22-6-15, has the meaning set forth in IC 14-22-6-15(b).**

SECTION 3. IC 14-8-2-278 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 278. "Take" has the following meaning:**

(1) For purposes of IC 14-22, except as provided in ~~subdivision~~ **subdivisions (2) and (3):**

(A) to kill, shoot, spear, gig, catch, trap, harm, harass, or pursue a wild animal; or

(B) to attempt to engage in such conduct.

**(2) For purposes of IC 14-22-6-16, the meaning set forth in IC 14-22-6-16(b).**

~~(2)~~ **(3) For purposes of IC 14-22-34, the meaning set forth in IC 14-22-34-5.**

SECTION 4. IC 14-8-2-320.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 320.5. "Wild mammal", for purposes of IC 14-22-6-17, has the meaning set forth in IC 14-22-6-17(c).**

SECTION 5. IC 14-22-6-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 15. (a) As used in this section, "computer assisted remote hunting" means the use of a computer or any other device, equipment, or software to remotely control the aiming and discharge of a bow, crossbow, or firearm for the purpose of taking wildlife.**

**(b) As used in this section, "computer assisted remote hunting facility" means the real property and improvements on the property associated with computer assisted remote hunting, including hunting blinds, offices, and rooms equipped to facilitate computer assisted remote hunting.**

**(c) A person may not knowingly:**

**(1) engage in computer assisted remote hunting; or**

**(2) provide or operate a computer assisted remote hunting facility.**

SECTION 6. IC 14-22-6-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 16. (a) This section does not apply to the following:**

**(1) Employees or agents of a governmental entity while performing official duties.**

**(2) Employees or agents of an educational or research institution acting for bona fide educational or scientific purposes.**

**(3) Use of an unmanned aerial vehicle to assist, provide care for, or provide veterinary treatment to specific wildlife.**

**(b) As used in this section, "take" means to:**

**(1) kill, shoot, spear, harm, catch for the purpose of killing, trap for the purpose of killing, or pursue for the purpose of killing wildlife; or**

**(2) attempt to engage in conduct under subdivision (1).**

**(c) A person may not knowingly use an unmanned aerial vehicle (as defined by IC 35-33-5-0.5(7)) to search for, scout, locate, or detect wildlife as an aid to take the wildlife.**

SECTION 7. IC 14-22-6-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 17. (a) This section does not prohibit a person from taking a wild mammal under IC 14-22-2, IC 14-22-28, or any other law that allows the taking of a wild mammal.**

**(b) This section does not prohibit an activity expressly authorized by federal law.**

**(c) As used in this section, "wild mammal" means a species of mammal that is wild or feral, whether captive bred or wild born. The term does not include feral cats.**

**(d) A person may not knowingly or intentionally do any of the following:**

**(1) Release from confinement a wild mammal for the purpose of taking the wild mammal.**

**(2) Offer for sale the taking of a wild mammal that is kept or confined on private property.**

SECTION 8. IC 14-22-31-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4. Upon receipt of an application, the department shall do the following:**

**(1) Inspect the following:**

**(A) The proposed shooting preserve.**

**(B) The facilities for propagating the game birds. ~~or exotic mammals.~~**

**(C) The cover.**

**(D) The capability of the applicant to maintain such an operation.**

**(2) If found feasible, approve the application and issue a license to the applicant.**

SECTION 9. IC 14-22-31-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7. A person issued a license under section 4 of this chapter may propagate and offer for hunting the following animals that are captive reared and released**

**(1) pheasant, quail, chukar partridges, properly marked mallard ducks, and other game bird species that the department determines by rule.**

~~(2) Species of exotic mammals that the department determines by rule.~~

SECTION 10. IC 14-22-31-8, AS AMENDED BY P.L.289-2013, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 8. (a) An individual may not take game birds ~~and exotic mammals~~ on a shooting preserve unless the individual has a hunting license required under this article, except nonresidents of Indiana, who must possess a special license issued by the department under this section to shoot on licensed shooting preserves.**

(b) The department:

- (1) shall issue special licenses described in subsection (a); and
- (2) may appoint owners or managers of shooting preserves as agents to sell the special licenses.

(c) A special license expires April 30 immediately following the date the license is effective.

(d) The fee for a special license issued under this section is equal to the fee for a resident annual hunting license under IC 14-22-12-1(a)(2). All fees collected under this section shall be deposited in the fish and wildlife fund.

SECTION 11. IC 14-22-31-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. The licensee of a shooting preserve shall issue a bill of sale designating game birds ~~or exotic mammals~~ lawfully taken upon the shooting preserve. The bill of sale must accompany all game birds ~~and exotic mammals~~ removed from the shooting preserve. The licensee shall retain a copy of all bills of sale issued to persons removing game birds ~~or exotic mammals~~ from the shooting preserve. The bills of sale are subject to inspection by the ~~fish and wildlife division department~~ at any time.

SECTION 12. IC 14-22-32-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. This chapter does not apply to the following:

- (1) Conservation officers or other law enforcement officers.
- (2) Game birds ~~or exotic mammals~~ in shooting preserves licensed under IC 14-22-31.
- (3) A person who takes a feral exotic mammal when the feral exotic mammal is causing damage to property that is owned or leased by the person.
- (4) A person who is authorized by the department under extraordinary circumstances to take an exotic mammal.

SECTION 13. IC 14-22-32-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. A person may not do any of the following:

- (1) Offer a game bird ~~or an exotic mammal~~ for hunting, trapping, or chasing by a person using a weapon or device that is not a shotgun, muzzle loading gun, handgun, or bow and arrow.
- (2) Hunt, trap, or chase a game bird ~~or an exotic mammal~~ with a weapon or device that is not a shotgun, muzzle loading gun, handgun, or bow and arrow.

SECTION 14. IC 14-22-32-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. If a person violates section 2(1) of this chapter, the department shall enter a recommended order to dispose of any game bird ~~or exotic mammal~~ the person owns, keeps, harbors, or otherwise possesses. Before the order becomes a final determination of the department, a hearing must be held under IC 4-21.5-3. The hearing shall be conducted by an administrative law judge for the commission. The determination of the administrative law judge is a final agency action under IC 4-21.5-1-6.

SECTION 15. **An emergency is declared for this act.**

(Reference is to SB 109 as printed January 13, 2016.)

MRVAN

Upon request of Senator Mrvan the President ordered the roll of the Senate to be called. Roll Call 13: yeas 13, nays 37. Motion failed. The bill was ordered engrossed.

The Senate recessed for the remarks of United States Congressman Todd Rokita.

2:17 p.m.

## RECESS

The Senate reconvened at 2:27 p.m., with the President of the Senate in the Chair.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 11

House Concurrent Resolution 11, sponsored by Senator Bray:

A CONCURRENT RESOLUTION recognizing the 125th anniversary of Home Bank.

*Whereas, Home Bank originated as the Martinsville Building Loan Fund and Savings Association on July 2, 1885, in Martinsville, Indiana;*

*Whereas, As a mutual institution, the organization had no stockholders or individual owners;*

*Whereas, George Hubbard was the first president of the Association which was founded on the concept of providing individuals earnings on their savings while providing funds which could be loaned out for real estate in Morgan County;*

*Whereas, The business expanded and operations of the firm changed rapidly, and, on February 21, 1890, the Association was reorganized as the Home Building Association;*

*Whereas, The Association's first physical location is unknown; its first place of business was on the Martinsville square;*

*Whereas, In 1925 the Association moved to a space on East Morgan Street adjacent to First National Bank, and in 1937 it moved to the former Martinsville Trust Company building at 77 North Jefferson Street, and remodeled the interior of that facility in 1955;*

*Whereas, The present site at 59 West Washington Street was purchased in 1966 and had previously been the site of a sanitarium named Colonial, Cohn-Barnard, and Artesian. The first day of business at the new location was December 30, 1967;*

*Whereas, In 1990, Home Bank celebrated its centennial year of service to Morgan County with several events, including a community ice cream social and a scholarship award of \$1,000 to a local student planning to major in business;*

*Whereas, A new product, the Centennial CD, was also launched to mark this milestone;*

*Whereas, The institution's historical focus as a thrift was based upon savings accounts/CDs and residential home loans (the first variable rate mortgage was offered in 1971), checking accounts (called NOW accounts) were first offered in 1981, and the bank's first ATM machine was installed as a stand alone kiosk unit on the southeast side of Martinsville near SR 37;*

*Whereas, The bank's list of products and services has evolved to reflect those of a full-service commercial bank, and Home Bank has consistently offered newer but proven products to the community; and*

*Whereas, In July 2012, the Board of Directors voted to direct 10 percent of the bank's net earnings toward major needs affecting quality of life in the community. Projects funded have included free cancer screenings (in partnership with IU Health) at the Morgan County Fair, sponsorship of a Habitat for Humanity house, donation to the operating fund for Weekday Religious Education of Morgan County, and sponsorship of the United Way ReadUp Program in local schools. Home Bank continues involvement in an initiative to address poverty in the community. This project originated with the bank funding to bring two nationally known experts in the field to speak in Morgan County: Therefore,*

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

SECTION 1. That the Indiana General Assembly recognizes the many contributions of Home Bank on the occasion of its 125th anniversary.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to Dan Moore, President/Chief Executive Officer of Home Bank.

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

### **Senate Concurrent Resolution 9**

Senate Concurrent Resolution 9, introduced by Senator Tomes:

A CONCURRENT RESOLUTION honoring the First United Methodist Church of Mount Vernon, Indiana on the occasion of its 200<sup>th</sup> anniversary.

*Whereas, The First United Methodist Church came into being in 1815, as Circuit Rider Moses Ashworth began preaching in what would become the town of Mount Vernon, Indiana in 1816;*

*Whereas, Following the initial sermons, the town of Mount Vernon built a structure for the church and a school at Sixth and Main Street in 1828, just across the street from where the current First United Methodist Church sits today;*

*Whereas, Throughout its 200 year history, the First United Methodist Church has been an integral part of the Mount Vernon community and the history of the state of Indiana;*

*Whereas, Notably, the First United Methodist Church of Mount Vernon was the congregation of John Pitcher, a lawyer who tutored Abraham Lincoln in the law, and the church officiated the funeral of Governor and Civil War General Alvin Hovey to 10,000 attendees, who was also a student of Mr. Pitcher;*

*Whereas, As the congregation continued to grow over the years, a new church was completed in 1854, a new sanctuary was built in 1958, the Susanna Wesley Nursery School began in 1981, and in 2002, First United Methodist Church built Wesley Hall on the west side of the church; and*

*Whereas, To celebrate its bicentennial, the parishioners of First United Methodist Church of Mount Vernon, Indiana refurbished the sanctuary, held a kick-off dinner in the spring of 2015, arranged a picnic in Wesley Hall in the summer of 2015, and on October 18, 2015, Bishop Michael Coyner and Reverend Christopher Millay, First United Methodist Church's new pastor, led a sermon and communion service to culminate the celebration: Therefore,*

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

SECTION 1. That the Indiana General Assembly honors and congratulates the First United Methodist Church of Mount Vernon, Indiana on the occasion of its 200<sup>th</sup> anniversary.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Senior Pastor Christopher Millay and the First United Methodist Church's leaders.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative McNamara.

### **SENATE BILLS ON SECOND READING**

#### **Senate Bill 126**

Senator Pete Miller called up Senate Bill 126 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 140**

Senator Leising called up Senate Bill 140 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 141**

Senator M. Young called up Senate Bill 141 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 141-1)

Madam President: I move that Senate Bill 141 be amended to read as follows:

- Page 11, line 39, delete "of a felony" and insert "of a felony,".
  - Page 11, line 39, strike "or".
  - Page 11, line 40, delete "adult." and insert "adult,".
  - Page 11, line 40, reset in roman "or the offense of battery (IC 35-42-2-1)".
  - Page 12, line 20, reset in roman "Level 6 felony.".
  - Page 12, line 20, delete "Class".
  - Page 12, line 21, delete "A misdemeanor.".
  - Page 12, line 21, delete "Level 6 felony if the".
  - Page 12, delete line 22.
- (Reference is to SB 141 as printed January 14, 2016.)

M. YOUNG

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 148**

Senator Boots called up Senate Bill 148 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 163**

Senator Patricia Miller called up Senate Bill 163 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 165**

Senator Patricia Miller called up Senate Bill 165 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 165-1)

Madam President: I move that Senate Bill 165 be amended to read as follows:

- Page 22, delete lines 26 through 27.
  - Page 22, line 28, delete "(3)" and insert "(2)".
  - Page 22, line 30, delete "(4)" and insert "(3)".
  - Page 22, line 33, delete "(5)" and insert "(4)".
  - Page 22, line 37, delete "(6)" and insert "(5)".
  - Page 22, line 40, delete "(7)" and insert "(6)".
  - Page 22, line 42, delete "(8)" and insert "(7)".
- (Reference is to SB 165 as printed January 15, 2016.)

MRVAN

Motion failed. The bill was ordered engrossed.

**Senate Bill 174**

Senator M. Young called up Senate Bill 174 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 174-3)

Madam President: I move that Senate Bill 174 be amended to read as follows:

Page 2, after line 10, begin a new paragraph and insert:

"SECTION 3. IC 35-48-4-8.1, AS AMENDED BY P.L.158-2013, SECTION 634, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 8.1. (a) A person who manufactures, finances the manufacture of, or designs an instrument, a device, or other object that is intended to be used primarily for:

- (1) introducing into the human body a controlled substance;
- (2) testing the strength, effectiveness, or purity of a controlled substance; or
- (3) enhancing the effect of a controlled substance;

in violation of this chapter commits a Class A infraction for manufacturing paraphernalia.

(b) A person who:

- (1) knowingly or intentionally violates this section; and
- (2) has a previous judgment for violation of this section;

commits manufacture of paraphernalia, a Level 6 felony.

**(c) It is a defense to an action or prosecution under this section that:**

**(1) the instrument, device, or other object is intended to be used for:**

- (A) introducing into the person's body;**
- (B) testing the strength, effectiveness, or purity of; or**
- (C) enhancing the effect of;**

**marijuana, hash oil, or hashish; and**

**(2) the:**

- (A) manufacture;**
- (B) financing of the manufacture; or**
- (C) design;**

**of the instrument, device, or other object is intended solely for use in a medical research project approved by the state department of health.**

SECTION 4. IC 35-48-4-8.3, AS AMENDED BY P.L.187-2015, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 8.3. (a) This section does not apply to a rolling paper.

(b) A person who knowingly or intentionally possesses an instrument, a device, or another object that the person intends to use for:

- (1) introducing into the person's body a controlled substance;
- (2) testing the strength, effectiveness, or purity of a controlled substance; or
- (3) enhancing the effect of a controlled substance;

commits a Class C misdemeanor. However, the offense is a Class

A misdemeanor if the person has a prior unrelated judgment or conviction under this section.

**(c) It is a defense to a prosecution under this section that:**

**(1) the instrument, device, or other object is intended to be used for:**

**(A) introducing into the person's body;**

**(B) testing the strength, effectiveness, or purity of; or**

**(C) enhancing the effect of;**

**marijuana, hash oil, or hashish; and**

**(2) the use of the instrument, device, or other object is:**

**(A) within the scope of; and**

**(B) solely for use in;**

**a medical research project approved by the state department of health.**

SECTION 5. IC 35-48-4-8.5, AS AMENDED BY P.L.208-2015, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 8.5. (a) A person who keeps for sale, offers for sale, delivers, or finances the delivery of ~~a raw material~~, an instrument, a device, or other object that is intended to be or that is designed or marketed to be used primarily for:

(1) ingesting, inhaling, or otherwise introducing into the human body marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance;

(2) testing the strength, effectiveness, or purity of marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance;

(3) enhancing the effect of a controlled substance;

(4) manufacturing, compounding, converting, producing, processing, or preparing marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance;

(5) diluting or adulterating marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance by individuals; or

(6) any purpose announced or described by the seller that is in violation of this chapter;

commits a Class A infraction for dealing in paraphernalia.

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

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

(1) Items marketed for use in the preparation, compounding, packaging, labeling, or other use of marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance as an incident to lawful research, teaching, or chemical analysis and not for sale **to the general public.**

(2) Items marketed for or historically and customarily used in connection with the planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, or inhaling of tobacco or any other lawful substance.

(3) A qualified entity (as defined in IC 16-41-7.5-3) that provides a syringe or needle as part of a program under IC 16-41-7.5.

(4) Any entity or person that provides funding to a qualified entity (as defined in IC 16-41-7.5-3) to operate a program described in IC 16-41-7.5.

**(5) Items designed or marketed for use in a medical research project approved by the state department of health that involves marijuana, hash oil, or hashish and not for sale to the general public.**

SECTION 6. IC 35-48-4-10, AS AMENDED BY P.L.168-2014, SECTION 100, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 10. (a) A person who:

(1) knowingly or intentionally:

(A) manufactures;

(B) finances the manufacture of;

(C) delivers; or

(D) finances the delivery of;

marijuana, hash oil, hashish, or salvia, pure or adulterated; or

(2) possesses, with intent to:

(A) manufacture;

(B) finance the manufacture of;

(C) deliver; or

(D) finance the delivery of;

marijuana, hash oil, hashish, or salvia, pure or adulterated; commits dealing in marijuana, hash oil, hashish, or salvia, a Class A misdemeanor, except as provided in subsections (b) through ~~(d)~~ **(e).**

(b) A person may be convicted of an offense under subsection (a)(2) only if there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug.

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

(1) the person has a prior conviction for a drug offense and the amount of the drug involved is:

(A) less than thirty (30) grams of marijuana; or

(B) less than five (5) grams of hash oil, hashish, or salvia; or

(2) the amount of the drug involved is:

(A) at least thirty (30) grams but less than ten (10) pounds of marijuana; or

(B) at least five (5) grams but less than three hundred (300) grams of hash oil, hashish, or salvia.

(d) The offense is a Level 5 felony if:

(1) the person has a prior conviction for a drug dealing offense and the amount of the drug involved is:

(A) at least thirty (30) grams but less than ten (10) pounds of marijuana; or

(B) at least five (5) grams but less than three hundred (300) grams of hash oil, hashish, or salvia; or

(2) the:

(A) amount of the drug involved is:

- (i) at least ten (10) pounds of marijuana; or
- (ii) at least three hundred (300) grams of hash oil, hashish, or salvia; or

(B) offense involved a sale to a minor.

**(e) It is a defense to a prosecution under this section that:**

**(1) the offense involved marijuana, hash oil, or hashish; and**

**(2) the:**

- (A) manufacture;**
- (B) financing of the manufacture;**
- (C) delivery; or**
- (D) financing of the delivery;**

**of the drug is within the scope of and solely for use in a medical research project approved by the state department of health.**

SECTION 7. IC 35-48-4-11, AS AMENDED BY P.L.226-2014(ts), SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 11. (a) A person who:

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

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

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

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

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

**(d) It is a defense to a prosecution under this section that:**

**(1) the offense involved marijuana, hash oil, or hashish; and**

**(2) the:**

- (A) possession;**
- (B) growing; or**
- (C) cultivation;**

**of the drug is within the scope of and solely for use in a medical research project approved by the state department of health."**

Renumber all SECTIONS consecutively.

(Reference is to SB 174 as printed January 14, 2016.)

TALLIAN

Motion failed.

The President of the Senate yielded the gavel to Senator Long.

SENATE MOTION  
(Amendment 174-1)

Madam President: I move that Senate Bill 174 be amended to read as follows:

Page 2, after line 10, begin a new paragraph and insert:

"SECTION 3. IC 35-48-4-11, AS AMENDED BY P.L.226-2014(ts), SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 11. (a) A person who:

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

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

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

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

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

**(d) It is a defense to a prosecution under this section that the person possessed marijuana, hash oil, or hashish with a recommendation, order, or prescription issued by a:**

- (1) physician licensed to practice medicine in any state;**
- (2) physician assistant granted the authority to prescribe in any state; or**
- (3) advanced practice nurse licensed and granted the authority to prescribe in any state;**

**acting in the course of the person's professional practice in the state where the person is licensed to practice medicine or authorized to prescribe."**

Renumber all SECTIONS consecutively.

(Reference is to SB 174 as printed January 14, 2016.)

TALLIAN

Motion failed. The bill was ordered engrossed.

**Senate Bill 183**

Senator Bray called up Senate Bill 183 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 198**

Senator Crider called up Senate Bill 198 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 213**

Senator Hershman called up Senate Bill 213 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**ENGROSSED SENATE BILLS  
ON THIRD READING**

**Engrossed Senate Bill 20**

Senator Boots called up Engrossed Senate Bill 20 for third reading:

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

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

Roll Call 14: yeas 48, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Gutwein.

**Engrossed Senate Bill 21**

Senator Bray called up Engrossed Senate Bill 21 for third reading:

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

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

Roll Call 15: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Price, VanNatter, and Baird.

**Engrossed Senate Bill 23**

Senator Hershman called up Engrossed Senate Bill 23 for third reading:

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

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

Roll Call 16: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Gutwein.

**Engrossed Senate Bill 67**

Senator Hershman called up Engrossed Senate Bill 67 for third reading:

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

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

Roll Call 17: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Brown and Soliday.

**Engrossed Senate Bill 76**

Senator Banks called up Engrossed Senate Bill 76 for third reading:

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

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

Roll Call 18: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Judy, Cox, and Frye.

**Engrossed Senate Bill 145**

Senator Banks called up Engrossed Senate Bill 145 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

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

Roll Call 19: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Cox, Judy, and Frye.

**Engrossed Senate Bill 146**

Senator Charbonneau called up Engrossed Senate Bill 146 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

Roll Call 20: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Friend and Porter.

**Engrossed Senate Bill 154**

Senator Steele called up Engrossed Senate Bill 154 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

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

Roll Call 21: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Baird and Lucas.

**Engrossed Senate Bill 173**

Senator M. Young called up Engrossed Senate Bill 173 for third reading:

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

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

Roll Call 22: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frizzell.

**Engrossed Senate Bill 195**

Senator Crider called up Engrossed Senate Bill 195 for third reading:

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

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

Roll Call 23: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Arnold.

**Engrossed Senate Bill 257**

Senator Charbonneau called up Engrossed Senate Bill 257 for third reading:

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

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

Roll Call 24: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Koch and Beumer.

**ENGROSSED HOUSE BILLS  
ON SECOND READING**

**Engrossed House Bill 1003**

Senator Mishler called up Engrossed House Bill 1003 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**REPORT OF THE PRESIDENT  
PRO TEMPORE**

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Joint Resolution 14, currently assigned to the Committee on Rules & Legislative Procedure, be reassigned to the Committee on Civil Law.

LONG

Report adopted.

**REPORT OF THE PRESIDENT  
PRO TEMPORE**

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Resolution 6, currently assigned to the Committee on Public Policy, be removed from committee and be eligible for immediate action.

LONG

Report adopted.

**REPORT OF THE PRESIDENT  
PRO TEMPORE**

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Resolution 5, currently assigned to the Committee on Public Policy, be removed from committee and be eligible for immediate action.

LONG

Report adopted.

**MESSAGE FROM THE HOUSE**

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution

11 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 9 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 5 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS  
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Perfect be added as coauthor of Senate Bill 49.

ECKERTY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 173.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Buck, Kruse, Taylor, and Leising be added as coauthors of Senate Bill 154.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as coauthor of Senate Bill 154.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kenley be added as coauthor of Senate Bill 154.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kenley be added as coauthor of Senate Bill 145.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kenley be added as coauthor of Senate Bill 76.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as coauthor of Senate Bill 76.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as coauthor of Senate Bill 145.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as coauthor of Senate Bill 76.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as coauthor of Senate Bill 145.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as coauthor of Senate Bill 295.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as coauthor of Senate Bill 362.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Smith be added as coauthor of Senate Bill 145.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 145.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Steele and Tomes be added as coauthors of Senate Bill 76.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Raatz and Perfect be added as coauthors of Senate Bill 21.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as coauthor of Senate Bill 12.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 126.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 154.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 73.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 301.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 91.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 87.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1003.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niemeyer be added as second author of Senate Bill 337.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Becker, Breaux, and Merritt be added as coauthors of Senate Bill 90.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 77.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 144.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as coauthor of Senate Bill 362.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as coauthor of Senate Bill 295.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Smith be added as coauthor of Senate Bill 73.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second author and Senators Tallian and Broden be added as coauthors of Senate Bill 90.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 75.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as second author of Senate Bill 333.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be added as coauthor of Senate Bill 227.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as third

author of Senate Bill 321.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second author of Senate Bill 321.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author, Senator Merritt be added as third author, and Senator Arnold be added as coauthor of Senate Bill 147.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Merritt and Stoops be added as coauthors of Senate Bill 297.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 314.

BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as third author of Senate Bill 148.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Buck, Broden, Randolph, and Taylor be added as coauthors of Senate Bill 31.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as second author of Senate Bill 140.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 66.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Breaux, Charbonneau, and Randolph be added as coauthors of Senate Bill 11.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 304.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Breaux, Kruse, and Patricia Miller be added as coauthors of Senate Bill 305.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Brown be added as second author of Senate Bill 219.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be added as coauthor of Senate Bill 272.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Houchin and Raatz be added as coauthors of Senate Bill 308.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 132.

BRODEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as coauthor of Senate Bill 131.

BRODEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as coauthor of Senate Bill 361.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 285.

DELPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Merritt and Randolph be added as coauthors of Senate Bill 154.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as second author of Senate Bill 148.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as third author and Senator Buck be added as coauthor of Senate Bill 11.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as second author of Senate Bill 174.

M. YOUNG

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as second author and Senator Taylor be added as third author of Senate Bill 173.

M. YOUNG

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 339.

FORD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Perfect be added as coauthor of Senate Bill 67.

HERSHMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Walker be added as coauthor of Senate Bill 285.

DELPH

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Arnold be added as coauthor of Senate Bill 271.

MERRITT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 279.

STOOPS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Kenley be added as second author of Senate Bill 128.

STOOPS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Tallian be added as

coauthor of Senate Bill 257.

CHARBONNEAU

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Stoops and Randolph be added as coauthors of Senate Bill 15.

HEAD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Charbonneau be added as cosponsor of Engrossed House Bill 1003.

MISHLER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Charbonneau be removed as second author of Senate Bill 206.

CHARBONNEAU

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Becker be added as second author of Senate Bill 163.

PATRICIA MILLER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Becker be added as second author and Senator Charbonneau be added as third author of Senate Bill 206.

PATRICIA MILLER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Arnold be added as coauthor of Senate Bill 233.

HERSHMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Glick be added as second author of Senate Bill 202.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as coauthor of Senate Bill 109.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 245.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Yoder be added as third author of Senate Bill 251.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as second author of Senate Bill 297.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Long be removed as author of Senate Bill 57 and Senator Steele be substituted therefor.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Long be removed as author of Senate Bill 61 and Senator Walker be substituted therefor.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Long be removed as author of Senate Joint Resolution 6 and Senator Steele be substituted therefor.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 21.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be added as second author and Senators Niemeyer, Bassler, Pete Miller, Messmer, Houchin, Steele, and Arnold be added as coauthors of Senate Bill 49.

ECKERTY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as second author, Senator Randolph be added as third author, and Senators Bray, Delph, Glick, Head, Zakas, Broden, and Taylor be added as coauthors of Senate Bill 81.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 145.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 76.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Eckerty be added as second author and Senator Lanane be added as coauthor of Senate Bill 329.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 9:00 a.m., Thursday, January 21, 2016.

PATRICIA MILLER

Motion prevailed.

The Senate adjourned at 4:08 p.m.

JENNIFER L. MERTZ  
Secretary of the Senate

SUE ELLSPERMANN  
President of the Senate