



Journal of the Senate

State of Indiana

119th General Assembly

First Regular Session

Fifty-first Meeting Day

Tuesday Afternoon

April 28, 2015

The Senate convened at 2:21 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Reverend Randy Scott, Pentecostal Church of South Lake, Merrillville.

The Pledge of Allegiance to the Flag was led by Senator Ricky N. Niemeyer.

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

Alting	Leising
Arnold	Long
Banks, A.	Merritt
Bassler	Messmer
Becker	Miller, Patricia
Boots	Miller, Pete
Bray	Mishler
Breaux	Mrvan <input checked="" type="checkbox"/>
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 514: present 49; excused 1. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

SENATE MOTION

Madam President: I move that Senate Rule 86(a) be suspended with regard to its application to all Conference Committee Reports filed on April 28, 2015.

LONG

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules & Legislative Procedure, to which was referred the motion of Senator Long requesting suspension of Senate Rule 86(a) for Conference Committee Reports filed on April 28, 2015 has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said motion be adopted.

LONG, Chair

Report adopted.

COMMITTEE REPORT

Pursuant to Senate Rule 86(j), your Committee on Rules and Legislative Procedure to which were referred Conference Committee Reports filed on Engrossed Senate Bills 267, 307, 370, and 426 and Engrossed House Bills 1044, 1047, 1159, 1319, 1438, and 1603 have had the same under consideration and beg leave to report back to the Senate with the recommendation that said Conference Committee Reports are eligible for consideration.

LONG, Chair

Report adopted.

JOINT RULE 20 COMMITTEE REPORTS

COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed House Bill 1388-2015 because it conflicts with HEA 1283-2015 and HEA 1286-2015 without properly recognizing the existence of HEA 1283-2015 and HEA 1286-2015, has had Engrossed House Bill 1388-2015 under consideration and begs leave to report back to the Senate with the recommendation that Engrossed House Bill 1388-2015 be corrected as follows:

Page 9, line 25, delete "P.L.166-2014," and insert "HEA 1283-2015, SECTION 1,".

Page 9, line 26, delete "SECTION 2,".

Page 10, line 1, after "residence" delete ";" and insert ", and that obligates the owner to convey title to the individual upon completion of all of the individual's contract obligations;".

Page 27, line 1, delete "P.L.231-2013," and insert "HEA 1286-2015, SECTION 6,".

Page 27, line 2, delete "SECTION 10,".

Page 27, line 15, delete "IC 32-25.5-3-8 applies" and insert "The following apply".

Whereas, Tom was a member of the Indiana State Bar Association where he served as Chairman of the Young Lawyer's section and as a member of the Board of Managers;

Whereas, Tom was also a member of the Indianapolis and American Bar Associations, a Master Fellow of the Indiana Bar Foundation, and a member of the Governmental Affairs Society of Indiana, Indiana Athletic Club, Columbia Club, Indiana Historical Society, and the Indianapolis Museum of Art;

Whereas, Governor Evan Bayh awarded Tom the Sagamore of the Wabash, the highest civilian honor offered by the Governor of Indiana;

Whereas, Tom was always a steadfast and loyal friend who cared deeply for people and went out of his way to lend a helping hand, seeking nothing in return;

Whereas, Tom is survived by his wife of 33 years, Jane Fruechtenicht; his daughter Beth and son Robert; step-children Stewart, Brian, Scot, Matthew, Gregg, Shondell, and AJ; and his grandchildren Caitlin, Stewart, Kaitlin, K.C., Maddie, Katie, Caroline, Chandler, Regina, Mary Grace, Samantha, Meredith, Elizabeth, Brigitte, Cole, and Olivia; and his nieces and nephews, all of whom he loved dearly;

Whereas, Tom is predeceased by his parents Walter and Clara Fruechtenicht, and his sister Carole Meikle; and

Whereas, It is fitting that the Indiana General Assembly gives special recognition to Tom's lifelong commitment and substantial contributions to the State of Indiana: 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 memorializes Thomas E. Fruechtenicht and honors him for his many years of public service to the State of Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Jane Fruechtenicht; Robert Fruechtenicht; Beth Aney; Stew, Brian, Scot, Matthew, Gregg, and AJ Brase; and Shondell Patterson.

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

SENATE MOTION

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

SR 65 Senator Head
Recognizing June 6, 2015, as the 100th anniversary of the Culver-Union Township Public Library.

HCR 86 Senator Perfect

Recognizing and thanking the many men and women who have served at Indiana Michigan Power's Tanners Creek Plant.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 65

Senate Resolution 65, introduced by Senator Head:

A SENATE RESOLUTION recognizing June 6, 2015, as the 100th anniversary celebration of the Andrew Carnegie building of the Culver-Union Township Public Library.

Whereas, On Saturday, June 6, 2015, the town of Culver will celebrate the 100th anniversary of the Andrew Carnegie library building;

Whereas, The first negotiations with Andrew Carnegie and the town of Culver were on April 2, 1914;

Whereas, On January 6, 1915, the Carnegie Corporation granted \$10,000 to build a library on Main Street in Culver, and local businessmen raised \$1,450 in order to purchase the land for the building site;

Whereas, The new library building, completed in the Renaissance Revival style, was opened on December 30, 1915, and the library's collection was made up entirely of books donated by local community members;

Whereas, Zolla Moss was the first librarian in the new Carnegie funded library and she earned \$25 per month;

Whereas, Prior to the expansion of the library's collection, the lower level of the building was used as a meeting and performance space until the 1950s, and many church congregations met in the lower level of the Carnegie library building at one time or another;

Whereas, The Carnegie building of the Culver-Union Township Public Library is still in use, with an addition and renovation which were completed in 2001 and opened in 2002;

Whereas, The Culver-Union Township Public Library is the only Carnegie Library still in existence in Marshall County;

Whereas, The community will celebrate the library's 100th anniversary with several events scheduled throughout the year;

Whereas, On June 6, 2015, the library's "Birthday Party" will be held with the opening of a Story Walk for the children in Culver's Town Park, including games and a parade from the Town Depot to the library on Main Street, followed by a community picnic and award ceremony;

Whereas, The library's centennial celebration will also include an essay contest for schoolchildren, development of a historic time line on the library's website and in the Carnegie building itself, displays of library source documents, a memory book, an art contest, and creation of a centennial quilt;

Whereas, The mission of the Culver-Union Township Public Library is to serve the diverse needs of its communities through the sharing of library resources and services in a welcoming atmosphere;

Whereas, The slogan "Culver's Carnegie, A Proud Century, A Promising Future" will be used throughout the centennial celebration;

Whereas, Public libraries play a vital role in the continued education and success of all communities, and the Culver-Union Township Public Library with its historic Carnegie building is a shining example of all that public libraries can accomplish for local communities; and

Whereas, It is fitting that the Indiana Senate recognize the 100th anniversary celebration of the Culver-Union Township Public Library's Carnegie building and honor its substantial contributions to the community: Therefore,

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

SECTION 1. That the Indiana Senate recognizes June 6, 2015, as the 100th anniversary of the Andrew Carnegie building of the Culver-Union Township Public Library.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Culver-Township Public Library Board.

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

House Concurrent Resolution 86

House Concurrent Resolution 86, sponsored by Senator Perfect:

A CONCURRENT RESOLUTION recognizing and thanking the many men and women who have served at Indiana Michigan Power's Tanners Creek Plant and provided reliable electricity to the people of Indiana for more than 64 years.

Whereas, The men and women of Indiana Michigan Power's Tanners Creek Plant have served as a reliable and dedicated provider of electric service in Indiana since 1951;

Whereas, Indiana Michigan Power's Tanners Creek Plant opened its first unit for operation serving the people of Indiana in 1951;

Whereas, During its first two years in operation, Indiana Michigan Power's Tanners Creek Plant was rated the world's

most efficient steam plant, and when Unit 4 went on line in 1964, it became the largest generating facility in the American Electric Power (AEP) System;

Whereas, Safety and environmental stewardship have always been of the utmost importance at Indiana Michigan Power's Tanners Creek Plant over the past 64 years, and among the facility's many awards and distinctions reflecting these priorities was AEP's prestigious Horizon Award in 2002;

Whereas, Indiana Michigan Power's Tanners Creek Plant has always striven to work as a team to ensure Hoosiers' lights stay on;

Whereas, A prime example of this dedication was during the 2014 polar vortex when Indiana Michigan Power's Tanners Creek Plant served as a vital key in the reliability of the electric grid stability by operating all four units with many retirees and former employees returning to the plant and helping to ensure that its legacy as a reliable servant to the state continued;

Whereas, The profession of working in a generating facility and ensuring that the lights stay on, that Hoosiers are comfortable in their homes, and that businesses operate smoothly is a role that Indiana Michigan Power's Tanners Creek Plant employees embraced openly, embodied in their work ethic and in the Hoosier spirit of hospitality and service;

Whereas, Indiana Michigan Power's Tanners Creek Plant employees and their families have served a critical and immeasurable role in the community and livelihood of southeast Indiana for many decades;

Whereas, The employees and families of Indiana Michigan Power's Tanners Creek Plant have supported the community in many ways over the 64 years the plant has served Indiana, including the "People Helping People Program," a non-profit group formed by the plant's employees benefiting the community in many ways and annually donating tens of thousands of cans of food to food pantries in Lawrenceburg and the surrounding counties; and

Whereas, Indiana Michigan Power's Tanners Creek Plant will cease producing electricity in May 2015, but its legacy as a home to many families, community steward, and a reliable electric provider to the people of Indiana will never be forgotten: 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 efforts of the hardworking, professional, dedicated men and women and their families of the Indiana Michigan Power's Tanners Creek Plant in keeping the power on and protecting public safety since 1951 and sincerely thanks every current and

former employee at the Indiana Michigan Power's Tanners Creek Plant and their family members for their 64 years of service to ensuring the lights stay on, protecting the safety of all involved, and helping in the growth of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the people of Indiana Michigan Power's Tanners Creek Plant.

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 the following resolutions be adopted:

- SR 66 Senator Walker
Honoring Virgil Ray Hudnall.
- SR 67 Senator Charbonneau
Congratulating Keeman Lobsiger.
- HCR 87 Senator Waltz
Honoring Indiana University-Purdue University
Indianapolis Chancellor Charles R. Bantz.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 66

Senate Resolution 66, introduced by Senator Walker and Merritt:

A SENATE RESOLUTION honoring Virgil Ray Hudnall for his years of dedicated service to his country and his state.

Whereas, Born on April 1, 1926, Virgil Ray Hudnall served his country in the United States Army during World War II, the Korean War, and the Vietnam War;

Whereas, Virgil Ray Hudnall is one of an estimated 33,890 three-war veterans alive today;

Whereas, All Three Wars, a veterans' organization, lists only one other Indiana resident as a member;

Whereas, Because of his great love for and commitment to this country, Virgil Ray Hudnall spent a large portion of his life away from his beloved family serving his country;

Whereas, Virgil Ray Hudnall's military career began as an assignment to the 310th Infantry, of the 78th Lightning Division, in February 1945;

Whereas, During WWII, Virgil Ray Hudnall experienced daily combat in Germany from March 1945 until the conclusion of the war on May 8, 1945;

Whereas, During his service in WWII, Virgil Ray Hudnall spent his 19th birthday manning a Browning Water Cooled machine gun in a foxhole along the Sieg Canal;

Whereas, Also during WWII, Virgil Ray Hudnall captured two German soldiers and turned them over to a POW camp unharmed;

Whereas, Virgil Ray Hudnall was Honorably Discharged from the U.S. Army on July 31, 1946;

Whereas, Virgil Ray Hudnall was awarded the Good Conduct Medal, Army Occupational Medal, European African Middle Eastern Theater Ribbon, and the WWII Victory Ribbon;

Whereas, After reenlisting with the Army, Virgil Ray Hudnall was commissioned as a 2nd Lieutenant;

Whereas, Virgil Ray Hudnall commanded the G2 Division of the 40th Infantry Headquarters during the Korean War;

Whereas, Virgil Ray Hudnall began serving in Vietnam in July 1972 and was assigned to the MACV Advisory Group, advising South Vietnamese Training Command;

Whereas, Virgil Ray Hudnall was again Honorably Discharged from the U.S. Army on June 30, 1976, at the rank of Lieutenant Colonel; and

Whereas, Virgil Ray Hudnall's selfless acts of courage throughout these three wars has earned him the title of American hero: Therefore,

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

SECTION 1. That the Indiana Senate wishes to recognize the commitment to service displayed by Virgil Ray Hudnall in the United States Army by dedicating more than 25 years of his life to serving and defending his country to the best of his abilities.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Virgil Ray Hudnall and his family.

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

Senate Resolution 67

Senate Resolution 67, introduced by Senator Charbonneau:

A SENATE RESOLUTION congratulating Keeman Lobsiger, Principal of Kankakee Valley High School, upon his retirement after 40 years of exemplary service in public education.

Whereas, Mr. Keeman Lobsiger, Principal of Kankakee Valley High School in Wheatfield, Indiana, will retire at the end of this school year after 40 years of service in public education;

Whereas, Lobsiger has been working in public education for 40 years, 22 years as an administrator, and 6 years as an administrator for Kankakee Valley;

Whereas, Before becoming a school administrator, Lobsiger taught in the subject areas of Special Education, Physical Education, and Drivers Education;

Whereas, Lobsiger has been described as an extremely passionate individual who's goals include driving students to undergo rigorous academic training that is relevant and transferrable to their future learning and success;

Whereas, Lobsiger was entrusted with the mission of getting Kankakee Valley High School back on track, and the school culture has dramatically improved thanks to his passion for education and for his students;

Whereas, Throughout Lobsiger's tenure, he has engineered a major reduction in student discipline while cultivating a new level of school spirit;

Whereas, Lobsiger's motto for the school is "We Are One" and he embodies this theme through his leadership with teachers and the administration;

Whereas, Lobsiger empowers his teachers and assistant principals to enact programs that benefit students and he regularly hands out "Kougar Nation" shirts to recognize students and staff for their accomplishments;

Whereas, Under Lobsiger's leadership, Kankakee Valley High School advanced from a "D" to an "A" rating, and has maintained its "A" grade for the past two years;

Whereas, Also under Lobsiger's direction, Kankakee Valley High School has heightened its ECA scores, improved its graduation rate, and increased the number of students taking and passing AP exams;

Whereas, Thanks to Lobsiger's efforts to move Kankakee Valley High School forward, the Indiana Department of Education has endowed a monetary award to work towards improving graduation rates;

Whereas, Lobsiger has been described as a man with great integrity, conviction, and compassion for his students, who has mentored his fellow educators so that they too can forge ahead and make a difference in education;

Whereas, Lobsiger takes the time to sit down with students, opening their eyes so that they can see what their futures may hold and aiding them in making sound decisions when opportunities arise; and

Whereas, It is fitting that the Indiana Senate recognize Keeman Lobsiger for his exemplary service and substantial

contributions to public education throughout his 40 years as an educator, and upon his retirement as Principal of Kankakee Valley High School: Therefore,

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

SECTION 1. That the Indiana Senate congratulates Keeman Lobsiger, Principal of Kankakee Valley High School in Wheatfield, Indiana, upon his retirement after 40 years of exemplary service in public education.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Keeman Lobsiger, Principal of Kankakee Valley High School.

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

House Concurrent Resolution 87

House Concurrent Resolution 87, sponsored by Senator Waltz:

A CONCURRENT RESOLUTION honoring Indiana University- Purdue University Indianapolis Chancellor Charles R. Bantz.

Whereas, Charles R. Bantz will be stepping down as chancellor of Indiana University-Purdue University Indianapolis (IUPUI) on August 15, 2015;

Whereas, Chancellor Bantz has guided the urban university through a time of growth and student success;

Whereas, Charles R. Bantz joined IUPUI as chancellor and IU vice president for long-range planning in 2003 and was named IU executive vice president in 2006;

Whereas, After a one-year leave, Chancellor Bantz will return to IUPUI as a member of the faculty;

Whereas, Chancellor Bantz came to IUPUI from Wayne State University in Detroit, where he was provost and senior vice president;

Whereas, During his tenure, Chancellor Bantz has seen tremendous growth and change come to the urban campus;

Whereas, The number of student organizations has increased by 221 percent, going from 140 to 450 organizations; a new campus center was opened in 2008; the number of students living on campus has increased by 251 percent, going from 564 to 1,979; and the IUPUI Regatta was established in 2009 as a premier campus event;

Whereas, The makeup of the student body is changing as well with 19 percent of the student body coming from minorities, the number of international students attending the university has risen from 925 in 2004 to 1,837 in 2014, and the percentage of

freshmen from the top quartile of their high school classes increased from 32 percent to 45 percent;

Whereas, Active in the national higher education community, Chancellor Bantz has served as a member of the NCAA Division I board of directors and the NCAA Executive Committee from 2007 to 2011, is chair of the Coalition of Urban Serving Universities, and has been a member of the Association of Public and Land-Grant Universities board of directors;

Whereas, Also active in the local community, Chancellor Bantz serves on the board of directors of the United Way of Central Indiana, Indianapolis Downtown, Inc., Greater Indianapolis Chamber of Commerce, Greater Indianapolis Progress Committee, Indiana Sports Corporation, Indiana Campus Compact, and the Economic Club of Indiana;

Whereas, Chancellor Bantz also served as the 2011-2012 president of the Economic Club of Indiana Board of Governors;

Whereas, During his time leading IUPUI, the university has received numerous awards and accolades, including being named a Top 200 National University by U.S. News and World Report, being selected as an "Up and Coming National University" by U.S. News and World Report for five years, being selected as the "8th Best Public University in the Midwest" by Forbes Magazine, receiving the President's Higher Education Community Service Award six times (twice with distinction), receiving the Heiskell Award for Innovation in International Partnerships, being listed among the Top 30 Best U.S. Non-HBCU Schools for Minorities by Diverse: Issues in Higher Education, being reclassified by the Carnegie Foundation for the Advancement of Teaching as a Community Engaged Campus, and being selected as one of the top five "Best Neighbor" colleges or universities based on a survey by the Netter Center for Community Partnerships;

Whereas, Chancellor Bantz holds a bachelor's degree in English education from the University of Minnesota, a master's degree in speech communication from the University of Minnesota, and a Ph.D. from Ohio State University in communication;

Whereas, Chancellor Bantz is a published author with books and articles on organizational communication, student success, internationalization, and television news; and

Whereas, As chancellor of Indiana University-Purdue University Indianapolis, Charles R. Bantz has made numerous contributions to higher education in the state of Indiana: 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

acknowledge the many contributions of Chancellor Charles R. Bantz and to thank him for his dedication to the youth of our state.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Chancellor Charles R. Bantz.

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 the Motion to Concur on Senate Bill 315, filed March 30, 2015, be withdrawn from further consideration by the Senate.

SMITH

Motion prevailed.

SENATE MOTION

Madam President: I move that the Motion to Dissent on Senate Bill 528, filed April 27, 2015, be withdrawn from further consideration by the Senate.

PETE MILLER

Motion prevailed..

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 87 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 adopted conference committee report 1 on Engrossed Senate Bills 307, 370, and 426.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed House Bills 1047, 1438, and 1469.

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 reconsidered its dissent on the Senate amendments to Engrossed House Bill 1002 and has now concurred in those amendments.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed House Bill 1044.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Bartlett as a conferee on Engrossed House Bill 1236 and now appoints M. Smith thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE
PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Monday, April 27, 2015, signed Senate Enrolled Acts: 8, 98, 113, 137, 217, 261, 283, 312, 324, 329, 380, 408, 415, 420, 450, 509, 515, and 530.

DAVID C. LONG
President Pro Tempore

RESOLUTIONS ON SECOND READING

Senate Concurrent Resolution 54

Senator Yoder called up Senate Concurrent Resolution 54 for second reading. The resolution was read a second time and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Dermody and Eberhart.

MOTIONS TO CONCUR
IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Senate Bill 423.

KENLEY

Roll Call 515: yeas 49, nays 0. Motion prevailed.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT
ESB 267-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 267 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete everything after the enacting clause and insert:

SECTION 1. IC 20-20-41 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 41. Dual Language Pilot Program

Sec. 1. The department, with the approval of the state board, shall establish and maintain a dual language immersion pilot program to provide grants to school corporations and charter schools that establish dual language immersion programs in:

- (1) Chinese;
- (2) Spanish;
- (3) French; or
- (4) any other language approved by the department.

Sec. 2. A school corporation or charter school may be eligible to receive a grant under this chapter if:

- (1) the school corporation or charter school uses an instructional model that provides at least fifty percent (50%) of its instruction in English and fifty percent (50%) of its instruction in a language described in section 1 of this chapter;
- (2) the program that uses an instructional model described in subdivision (1) begins either in kindergarten or in grade 1; and
- (3) the program described in subdivision (2) meets any other requirements established by the department, with the approval of the state board.

Sec. 3. A school corporation or charter school desiring to receive a grant under this chapter shall apply to the department for a grant in the manner and on a form prescribed by the department.

Sec. 4. (a) The dual language immersion pilot program fund is established to be used to provide grants under this chapter.

- (b) The fund consists of:
 - (1) appropriations made by the general assembly; and
 - (2) gifts and donations to the fund.
- (c) The fund shall be administered by the department.
- (d) The expenses of administering the fund shall be paid from money in the fund.
- (e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.
- (f) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

Sec. 5. The state board may establish rules necessary to administer this chapter.

SECTION 2. IC 20-30-14.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 14.5. State Certificate of Bilingualism

Sec. 1. As used in this chapter, "foreign language" refers to any language other than English, including:

- (1) modern languages;
- (2) Latin;
- (3) American Sign Language;
- (4) Native American languages; and
- (5) native languages.

Sec. 2. As used in this chapter, "certificate" refers to the state certificate of biliteracy created under section 3 of this chapter.

Sec. 3. (a) The state certificate of biliteracy is created to:

- (1) encourage students to study languages;
- (2) certify the attainment of biliteracy;
- (3) provide employers with a method of identifying individuals with language and biliteracy skills;
- (4) provide postsecondary educational institutions with an additional method to recognize applicants for admission;
- (5) prepare students with twenty-first century skills;
- (6) recognize the value of foreign language and native language instruction in public schools; and
- (7) strengthen intergroup relationships, affirm the value of diversity, and honor the multiple cultures and languages of a community.

(b) The receipt of the certificate demonstrates the attainment of a high level of proficiency by a graduate of a public or an accredited nonpublic high school, sufficient for meaningful use in college and a career, in one (1) or more languages in addition to English.

(c) A school corporation, a charter school, or an accredited nonpublic high school is not required to participate in the certificate program.

Sec. 4. The state board shall:

- (1) establish the criteria for earning a certificate, including:
 - (A) the number of credits a student must earn in English and language arts and in a language other than English; and
 - (B) assessments of foreign language and English proficiency the state board considers necessary;
- (2) direct the department to prepare and deliver to participating school corporations, charter schools, and accredited nonpublic high schools an appropriate mechanism for awarding the certificate and designating on a student's transcript that the student has been awarded a certificate; and
- (3) direct the department to provide any other information the state board considers necessary for school corporations, charter schools, and accredited nonpublic high schools to successfully participate in the certificate program.

Sec. 5. A participating school corporation, charter school, or accredited nonpublic high school shall:

- (1) maintain appropriate records to identify students who have earned a certificate; and
- (2) make the appropriate designation on the transcript of each student who earns a certificate.

Sec. 6. (a) Except as provided in subsection (b), a student may not be charged a fee to receive a certificate under this chapter.

(b) If necessary, a student may be required to pay a fee to demonstrate proficiency in a language, including the cost of a standardized test to determine proficiency.

Sec. 7. The state board shall adopt rules under IC 4-22-2 to carry out this chapter.

(Reference is to ESB 267 as printed April 10, 2015.)

Kruse, Chair	Behning
Lanane	Austin
Senate Conferees	House Conferees

Roll Call 516: yeas 49, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 307-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 307 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

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

"SECTION 1. IC 24-4.7-4-7, AS ADDED BY P.L.61-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) This section does not apply to the sale, transfer, or provision of a consumer's telephone number to a person that is exempt from this article under IC 24-4.7-1-1.

(b) A telephone solicitor, a supplier, or a caller may not sell, transfer, or make available to another person for solicitation purposes a consumer's telephone number if the telephone solicitor, supplier, or caller knows that the telephone number appears in the most current quarterly listing published by the division.

(c) A telephone solicitor, a supplier, or a caller may not transfer a live call to one (1) or more other persons if the call has been placed to a consumer in violation of this article or IC 24-5-14.

(d) A telephone solicitor, a supplier, or a caller may not provide substantial assistance or support to another person if the telephone solicitor, supplier, or caller knows or consciously avoids knowing that the person has engaged in any act or practice that violates this article or IC 24-5-14.

(e) A person may not provide substantial assistance or support to a telephone solicitor, a supplier, or a caller if the person knows or consciously avoids knowing that the telephone solicitor, supplier, or caller has engaged in any act or practice that violates this article or IC 24-5-14. A communications service provider (as defined in IC 8-1-32.5-4) does not violate this subsection, and this subsection does not:

- (1) provide a right of action against a communications service provider; or**
- (2) subject a communications service provider to any criminal penalties or civil remedies set forth in this article or in IC 24-5-14;**

if the communications service provider's equipment or services are used only to transport, handle, or retransmit a communication that violates this article or IC 24-5-14."

Delete page 2.

Page 3, delete lines 1 through 14.

Page 6, delete lines 12 through 24.

Page 13, after line 27, begin a new paragraph and insert:

"SECTION 7. IC 34-30-2-96.7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2015]: **Sec. 96.7. IC 24-4.7-4-7(e) (Concerning the use of a communications service provider's equipment or services to transport, handle, or retransmit a communication that violates IC 24-4.7 or IC 24-5-14).**".

Renumber all SECTIONS consecutively.

(Reference is to ESB 307 as reprinted April 15, 2015.)

Bray, Chair	Steuerwald
Randolph	Forestal
Senate Conferees	House Conferees

Roll Call 517: yeas 48, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 370-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 370 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 1-2-14 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2015]:

Chapter 14. State Aircraft

Sec. 1. The Republic Aviation P-47 Thunderbolt:

- (1) produced in Evansville, Indiana, from 1942 to 1945; and**
 - (2) commonly known as the "Indiana Warbird";**
- is designated as the official state aircraft of Indiana.**

(Reference is to ESB 370 as printed March 27, 2015.)

Becker, Chair	Bacon
Arnold	Riecken
Senate Conferees	House Conferees

Roll Call 518: yeas 48, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 426-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 426 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 3-8-1-23, AS AMENDED BY P.L.76-2014, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 23. ~~(a)~~ A candidate for the office of county assessor must **satisfy the following**:

- ~~(1) The candidate must~~ have resided in the county for at least one (1) year before the election, as provided in Article 6, Section 4 of the Constitution of the State of Indiana.
- ~~(2) The candidate must~~ own real property located in the county upon taking office. ~~and~~
- ~~(3) fulfill the requirements of subsections (b) through (d);~~ as applicable.

~~(b) A candidate for the office of county assessor who runs in an election after June 30, 2008; must have attained the certification of a level two assessor-appraiser under IC 6-1.1-35.5 before taking office.~~

~~(c) A candidate for the office of county assessor who:~~

- ~~(1) did not hold the office of county assessor on January 1, 2012; and~~
- ~~(2) runs in an election after January 1, 2012;~~

~~must have attained the certification of a level three assessor-appraiser under IC 6-1.1-35.5 before taking office.~~

~~(d) A candidate for the office of county assessor who:~~

- ~~(1) held the office of county assessor on January 1, 2012; and~~
- ~~(2) runs in an election after January 1, 2016;~~

~~must have attained the certification of a level three assessor-appraiser under IC 6-1.1-35.5 before taking office.~~

SECTION 2. IC 3-8-1-23.6 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 23-6. ~~(a)~~ A candidate for the office of township assessor under IC 36-6-5-1 who runs in an election after June 30, 2008; must have attained the certification of a level two assessor-appraiser under IC 6-1.1-35.5 before taking office.

~~(b) A candidate for the office of township assessor under IC 36-6-5-1 who:~~

- ~~(1) did not hold the office of township assessor on January 1, 2012; and~~
- ~~(2) runs in an election after January 1, 2012;~~

~~must have attained the certification of a level three assessor-appraiser under IC 6-1.1-35.5 before taking office.~~

~~(c) A candidate for the office of township assessor under IC 36-6-5-1 who:~~

- ~~(1) held the office of township assessor on January 1, 2012; and~~
- ~~(2) runs in an election after January 1, 2016;~~

~~must have attained the certification of a level three assessor-appraiser under IC 6-1.1-35.5 before taking office.~~

SECTION 3. IC 6-1.1-1-24, AS AMENDED BY P.L.1-2010, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 24. If a transfer from a township assessor to the county assessor of the assessment duties prescribed by this article ~~results from the failure of a person elected to the office of township assessor to attain the certification of a level two assessor-appraiser as provided in IC 3-8-1-23-6; occurs~~ as described in IC 36-2-15-5(c), a reference to the township assessor in this article is considered to

be a reference to the county assessor.

SECTION 4. IC 36-2-5-3, AS AMENDED BY P.L.219-2007, SECTION 106, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 3. (a) The county fiscal body shall fix the compensation of officers, deputies, and other employees whose compensation is payable from the county general fund, county highway fund, county health fund, county park and recreation fund, aviation fund, or any other fund from which the county auditor issues warrants for compensation. This includes the power to:

- (1) fix the number of officers, deputies, and other employees;
- (2) describe and classify positions and services;
- (3) adopt schedules of compensation; and
- (4) hire or contract with persons to assist in the development of schedules of compensation.

(b) Subject to subsection (c), the county fiscal body shall provide for a county assessor or elected township assessor who has attained a level two or level three certification under IC 6-1.1-35.5 to receive annually one thousand dollars (\$1,000); which is in addition to and not part of the annual compensation of the assessor. Subject to subsection (c), the county fiscal body shall provide for a county or township deputy assessor who has attained a level two or level three certification under IC 6-1.1-35.5 to receive annually five hundred dollars (\$500); which is in addition to and not part of the annual compensation of the county or township deputy assessor.

(c) (b) Notwithstanding subsection (a), the board of each local health department shall prescribe the duties of all its officers and employees, recommend the number of positions, describe and classify positions and services, adopt schedules of compensation, and hire and contract with persons to assist in the development of schedules of compensation.

(d) (c) This section does not apply to community corrections programs (as defined in IC 11-12-1-1 and IC 35-38-2.6-2).

(e) Subsection (b) applies regardless of whether the assessor or deputy assessor attained the level two certification:

- (1) while in office; or
- (2) before assuming office.

SECTION 5. IC 36-2-5-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 3.5. (a) The county fiscal body shall establish a salary schedule in which the salary of a county assessor who has attained a level three certification under IC 6-1.1-35.5 is at least one thousand five hundred dollars (\$1,500) more than the salary of a county assessor who has a level two certification. A salary schedule established under this subsection may take into account salary adjustments retained under subsection (c). If a county assessor who takes office with a level two certification attains a level three certification not later than January 1 of the third year of the county assessor's term of office, the county assessor is entitled to be paid the salary of a county assessor who has attained a level three certification, beginning on the date the county assessor attains the level three certification.

(b) The county fiscal body shall establish a salary schedule in which the salary of an elected township assessor of the county who has attained a level three certification under

IC 6-1.1-35.5 is at least one thousand five hundred dollars (\$1,500) more than the salary of an elected township assessor who has a level two certification. A salary schedule established under this subsection may take into account salary adjustments retained under subsection (c). If a township assessor who takes office with a level two certification attains a level three certification not later than January 1 of the third year of the township assessor's term of office, the township assessor is entitled to be paid the salary of a township assessor who has attained a level three certification, beginning on the date the township assessor attains the level three certification.

(c) Beginning January 1, 2016, the following apply:

(1) The one thousand dollar (\$1,000) additional annual compensation paid under section 3(b) of this chapter (before its repeal on January 1, 2016) to a county assessor or an elected township assessor who has attained a level two or level three certification under IC 6-1.1-35.5 shall be paid as part of the annual compensation of the assessor.

(2) The five hundred dollar (\$500) additional annual compensation paid under section 3(b) of this chapter (before its repeal on January 1, 2016) to a county or township deputy assessor who has attained a level two or level three certification under IC 6-1.1-35.5 shall be paid as part of the annual compensation of the assessor.

It is the intent of this subsection that after December 31, 2015, there not be a reduction in the annual compensation paid to an individual under section 3(b) of this chapter because of its repeal on January 1, 2016.

(d) The county fiscal body shall establish a salary schedule in which the salary of county or township deputy assessor who has attained a level two or level three certification under IC 6-1.1-35.5 is at least five hundred dollars (\$500) more than the salary of a deputy assessor who has not attained a level two or a level three certification, beginning on the date the township assessor attains the level two or level three certification. A salary schedule established under this subsection may take into account salary adjustments retained under subsection (c).

SECTION 6. IC 36-2-15-2, AS AMENDED BY P.L.88-2005, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) A county assessor shall be elected under IC 3-10-2-13 by the voters of the county.

(b) To be eligible to serve as an assessor, a person an individual must meet the following qualifications prescribed by IC 3-8-1-23 before taking office:

(1) If the individual has never held the office of county assessor, the individual must have attained a level two assessor-appraiser certification under IC 6-1.1-35.5.

(2) If the individual has held the office of county assessor, the individual must have attained a level three assessor-appraiser certification under IC 6-1.1-35.5.

(c) A county assessor must reside within the county as provided in Article 6, Section 6 of the Constitution of the State of Indiana. The assessor forfeits office if the assessor ceases to be a resident of the county.

(d) The term of office of a county assessor is four (4) years,

beginning January 1 after election and continuing until a successor is elected and qualified.

SECTION 7. IC 36-2-15-5, AS AMENDED BY P.L. 76-2014, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) The county assessor shall perform the functions assigned by statute to the county assessor, including the following:

- (1) Countywide equalization.
- (2) Selection and maintenance of a countywide computer system.
- (3) Certification of gross assessments to the county auditor.
- (4) Discovery of omitted property.
- (5) In:

- (A) a township in which the transfer of duties of the elected township assessor is required by subsection (c); or
- (B) a township in which the duties relating to the assessment of tangible property are not required to be performed by a township assessor elected under IC 36-6-5;

performance of the assessment duties prescribed by IC 6-1.1.

- (b) A transfer of duties between assessors does not affect:
 - (1) any assessment, assessment appeal, or other official action made by an assessor before the transfer; or
 - (2) any pending action against, or the rights of any party that may possess a legal claim against, an assessor that is not described in subdivision (1).

Any assessment, assessment appeal, or other official action of an assessor made by the assessor within the scope of the assessor's official duties before the transfer is considered as having been made by the assessor to whom the duties are transferred.

(c) If

(1) for a particular general election after June 30, 2008; the person **individual** elected to the office of township assessor has not attained the **assessor-appraiser** certification of a level two assessor-appraiser or

(2) for a particular general election after January 1, 2016; the person elected to the office of township assessor has not attained the certification of a level three assessor-appraiser;

as provided in IC 3-8-1-23.6 level required by IC 36-6-5-1 before the date the term of office begins, the assessment duties prescribed by IC 6-1.1 that would otherwise be performed in the township by the township assessor are transferred to the county assessor on that date. If assessment duties in a township are transferred to the county assessor under this subsection, those assessment duties are transferred back to the township assessor if at a later election a person **an individual** who has attained the required level of **assessor-appraiser** certification referred to in subdivision (1) or (2) level required by IC 36-6-5-1 is elected to the office of township assessor.

(d) If assessment duties in a township are transferred to the county assessor under subsection (c); the office of elected township assessor remains vacant for the period during which the assessment duties prescribed by IC 6-1.1 are transferred to the county assessor.

(e) A referendum shall be held under sections 7.4 through 11

of this chapter in each township in which the number of parcels of real property on January 1, 2008; is at least fifteen thousand (15,000) to determine whether to transfer to the county assessor the assessment duties prescribed by IC 6-1.1 that would otherwise be performed by the elected township assessor of the township.

SECTION 8. IC 36-2-15-7.4 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 7.4. (a) Assessment duties are transferred to the county assessor as described in section 5(e) of this chapter only if a majority of the individuals in the township who vote in a referendum that is conducted in accordance with this section and sections 8 through 11 of this chapter approves the transfer.

(b) The question to be submitted to the voters in the referendum must read as follows:

"Should the assessing duties of the elected township assessor in the township be transferred to the county assessor?"

SECTION 9. IC 36-2-15-8 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 8. (a) The county legislative body shall act under IC 3-10-9-3 to certify the question to be voted on at the referendum under this chapter to the county election board.

(b) Each county clerk shall, upon receiving the question certified by the county legislative body under subsection (a); call a meeting of the county election board to make arrangements for the referendum.

(c) The referendum shall be held in the general election in 2008.

(d) The referendum shall be held under the direction of the county election board; which shall take all steps necessary to carry out the referendum.

(e) Not less than ten (10) days before the date on which the referendum is to be held; the county election board shall cause notice of the question that is to be voted upon at the referendum to be published in accordance with IC 5-3-1.

SECTION 10. IC 36-2-15-9 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 9. Each county election board shall cause:

(1) the question certified to the circuit court clerk by the county legislative body to be placed on the ballot in the form prescribed by IC 3-10-9-4; and

(2) an adequate supply of ballots and voting equipment to be delivered to the precinct election board of each precinct in which the referendum under this chapter is to be held.

SECTION 11. IC 36-2-15-10 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 10. The individuals entitled to vote in a referendum under this chapter are all the registered voters resident in the township in which the referendum is held.

SECTION 12. IC 36-2-15-11 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 11. (a) Each precinct election board shall count the affirmative votes and the negative votes cast in the referendum under this chapter and shall certify those two (2) totals to the county election board of the county. The circuit court clerk of the county shall, immediately after the votes cast in the referendum have been counted; certify the results of the referendum to the county legislative body. Upon receiving the certification of all the votes cast in the referendum; the county legislative body shall promptly notify the department of local government finance of the result of the referendum. If a majority

of the individuals who voted in the referendum voted "yes" on the referendum question:

- (1) the county legislative body shall promptly notify:
 - (A) the county assessor;
 - (B) the elected township assessor in the township; and
 - (C) each candidate in an election described in subsection (b);

of the results of the referendum; and

- (2) with respect to a particular elected township assessor in the county, the assessment duties prescribed by IC 6-1.1 are transferred to the county assessor on January 1, 2009.

(b) If:

- (1) an election is held in the general election in 2008 of an elected township assessor; and
- (2) a majority of the individuals who voted in the referendum held under this chapter voted "yes" on the referendum question;

the results of the election of the elected township assessor are nullified:

SECTION 13. IC 36-2-16-8, AS AMENDED BY P.L.146-2008, SECTION 699, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) The county assessor may appoint the number of full-time or part-time deputies and employees authorized by the county fiscal body.

(b) ~~After June 30, 2009; Before July 1, 2017~~, an employee of the county assessor who performs real property assessing duties must have attained the level of certification under IC 6-1.1-35.5 that the county assessor is required to attain under ~~IC 3-8-1-23~~. **IC 36-2-15-2(b).**

(c) **After June 30, 2017, an employee of the county assessor who is responsible for placing an assessed valuation on real property must have attained the certification of a level three assessor-appraiser under IC 6-1.1-35.5.**

(d) **This subsection applies after June 30, 2017. If the county assessor has not attained the certification of a level three assessor-appraiser under IC 6-1.1-35.5, the county fiscal body shall authorize either of the following:**

- (1) The appointment of at least one (1) deputy or employee who has attained the certification of a level three assessor-appraiser under IC 6-1.1-35.5.
- (2) Contracting with a person who has attained, or who employs for purposes of the contract an individual who has attained, the certification of a level three assessor-appraiser under IC 6-1.1-35.5. The individual under contract with the county assessor under this subdivision shall assist the county assessor with assessment duties as determined by the county assessor.

Payment for the deputy, employee, or contractor shall be made from the budget for the county assessor.

SECTION 14. IC 36-6-5-1, AS AMENDED BY P.L.1-2009, SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) Subject to subsection (g), before 2009, a township assessor shall be elected under IC 3-10-2-13 by the voters of each township:

- (1) having:
 - (A) a population of more than eight thousand (8,000); or
 - (B) an elected township assessor or the authority to elect a township assessor before January 1, 1979; and

(2) in which the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000).

(b) Subject to subsection (g), before 2009, a township assessor shall be elected under IC 3-10-2-14 (repealed effective July 1, 2008) in each township:

(1) having a population of more than five thousand (5,000) but not more than eight thousand (8,000), if:

(A) the legislative body of the township, by resolution, declares that the office of township assessor is necessary; and

(B) the resolution is filed with the county election board not later than the first date that a declaration of candidacy may be filed under IC 3-8-2; and

(2) in which the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000).

(c) Subject to subsection (g), a township government that is created by merger under IC 36-6-1.5 shall elect only one (1) township assessor under this section.

(d) Subject to subsection (g), after 2008 a township assessor shall be elected under IC 3-10-2-13 only by the voters of each township in which:

(1) the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000); and

(2) the transfer to the county assessor of the assessment duties prescribed by IC 6-1.1 is disapproved in the referendum under IC 36-2-15.

(e) The township assessor must reside within the township as provided in Article 6, Section 6 of the Constitution of the State of Indiana. The assessor forfeits office if the assessor ceases to be a resident of the township.

(f) The term of office of a township assessor is four (4) years, beginning January 1 after election and continuing until a successor is elected and qualified. However, the term of office of a township assessor elected at a general election in which no other township officer is elected ends on December 31 after the next election in which any other township officer is elected.

(g) ~~A person who runs for the office of township assessor in an election after June 30, 2008; is subject to IC 3-8-1-23.6. To be eligible to serve as a township assessor, an individual must meet the following qualifications before taking office:~~

(1) ~~If the individual has never held the office of township assessor, the individual must have attained a level two assessor-appraiser certification under IC 6-1.1-35.5.~~

(2) ~~If the individual has held the office of township assessor, the individual must have attained a level three assessor-appraiser certification under IC 6-1.1-35.5.~~

(h) After June 30, 2008, the county assessor shall perform the assessment duties prescribed by IC 6-1.1 in a township in which the number of parcels of real property on January 1, 2008, is less than fifteen thousand (15,000).

SECTION 15. IC 36-6-5-4, AS ADDED BY P.L.146-2008, SECTION 712, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. ~~After June 30, 2009; (a) Before July 1, 2017~~, an employee of a township assessor who performs real property assessing duties must have attained the level of certification under IC 6-1.1-35.5 that the township assessor is required to attain under ~~IC 3-8-1-23.6~~. **section 1(g) of**

this chapter.

(b) After June 30, 2017, an employee of a township assessor who is responsible for placing an assessed valuation on real property must have attained the certification of a level three assessor-appraiser under IC 6-1.1-35.5.

(c) This subsection applies after June 30, 2017. If the township assessor has not attained the certification of a level three assessor-appraiser under IC 6-1.1-35.5, the township fiscal body shall authorize either of the following:

(1) The appointment of at least one (1) deputy or employee who has attained the certification of a level three assessor-appraiser under IC 6-1.1-35.5.

(2) Contracting with a person who has attained, or who employs for purposes of the contract an individual who has attained, the certification of a level three assessor-appraiser under IC 6-1.1-35.5. The individual under contract with the township assessor under this subdivision shall assist the township assessor with assessment duties as determined by the township assessor.

Payment for the deputy, employee, or contractor shall be made from the budget for the township assessor.

(Reference is to ESB 426 as reprinted April 1, 2015.)

Houchin, Chair	Truitt
Brodén	Pryor
Senate Conferees	House Conferees

Roll Call 519: yeas 41, nays 7. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1044-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1044 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 6-9-45 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 45. Rockville Food and Beverage Tax

Sec. 1. This chapter applies to the town of Rockville.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the fiscal body has previously held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the later of the following:

(1) The day specified in the ordinance.

(2) The last day of the month that succeeds the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

(1) for consumption at a location or on equipment provided by a retail merchant;

(2) in the town; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) food sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) food sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport the food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

(1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and

(2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the

payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the auditor of state.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by a town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the town only for the following purposes:

(1) To reduce the town's property tax levy for a particular year at the discretion of the town, but this use does not reduce the maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for the town.

(2) For economic development purposes, including the pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations for economic development purposes.

(3) For the following purposes:

(A) Storm water, sidewalk, street, park, and parking improvements necessary to support tourism in the town.

(B) Public safety.

(C) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in clauses (A) through (B).

Revenue derived from the imposition of a tax under this chapter may be treated by the town as additional revenue for the purpose of fixing its budget for the budget year during which the revenues are to be distributed to the town.

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

SECTION 2. IC 6-9-47.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 47.5. Orange County Food and Beverage Tax

Sec. 1. This chapter applies to Orange County.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the county may adopt an ordinance to impose an excise tax, known as the county food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the county may adopt an ordinance under this subsection only after the fiscal body has previously held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the county food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the county fiscal body adopts an ordinance under subsection (a), the county fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the county fiscal body adopts an ordinance under subsection (a), the county food and beverage tax applies to transactions that occur after the later of the following:

(1) The day specified in the ordinance.

(2) The last day of the month that succeeds the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

(1) for consumption at a location or on equipment provided by a retail merchant;

(2) in the county; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) food sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) food sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport the food).

(c) The county food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in the following transactions:

(1) A transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

(2) A transaction that occurs at a historic hotel (as defined in IC 4-33-2-11.1), the riverboat operated under IC 4-33-6.5, and other properties operated in conjunction with the historic hotel enterprise located in Orange County, including golf courses.

Sec. 5. The county food and beverage tax rate:

(1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and

(2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under

IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the county fiscal officer upon warrants issued by the auditor of state.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the county, the county fiscal officer shall establish a food and beverage tax receipts fund.

(b) The county fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the county only for the following purposes:

(1) For economic development purposes, including the pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations for economic development purposes.

(2) For the following purposes:

(A) Storm water, sidewalk, street, park, and parking improvements necessary to support tourism in the county.

(B) Public safety.

(C) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in clauses (A) through (B).

Revenue derived from the imposition of a tax under this chapter may be treated by the county as additional revenue for the purpose of fixing its budget for the budget year during which the revenues are to be distributed to the county.

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

SECTION 3. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "study committee" means either of the following:

(1) A statutory committee established under IC 2-5.

(2) An interim study committee established under IC 2-5-1.3-14.

(b) The legislative council is urged to assign to the appropriate study committee the topic of whether a uniform food and beverage tax should be enacted into law to allow local governments to adopt such a tax.

(c) If the topic described in subsection (b) is assigned to a study committee, the study committee shall issue a final report to the legislative council on the topic in an electronic

format under IC 5-14-6 not later than November 1, 2015.

(d) This SECTION expires January 1, 2016.

SECTION 4. An emergency is declared for this act. (Reference is to EHB 1044 as reprinted April 8, 2015.)

Morrison, Chair Boots

DeLaney Broden

House Conferees Senate Conferees

Roll Call 520: yeas 35, nays 13. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1047-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1047 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 6-6-5-5.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 5.7. (a) There is imposed an annual excise tax on mini-trucks (as defined in IC 9-13-2-103.1). The tax shall be paid at the same time the mini-truck is registered.

(b) Except for the amount of tax imposed, a mini-truck is to be treated the same as a vehicle for purposes of this chapter.

(c) The amount of tax owed for a mini-truck under subsection (a) for a year is thirty dollars (\$30). The tax is due at the same time the owner is or would be required to pay the motor vehicle excise tax under this chapter.

SECTION 2. IC 9-13-2-42, AS AMENDED BY HEA 1396-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 42. (a) "Dealer" means, except as otherwise provided in this section, a person who sells to the general public, including a person who sells directly by the Internet or other computer network, at least twelve (12) vehicles each year. The term includes a person who sells off-road vehicles, ~~and, after December 31, 2013, a person who sells~~ snowmobiles, **or mini-trucks. A dealer must have an established place of business that meets the minimum standards prescribed by the secretary of state under rules adopted under IC 4-22-2.**

(b) The term does not include the following:

(1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court.

(2) A public officer while performing official duties.

(3) An automotive mobility dealer.

(c) "Dealer", for purposes of IC 9-31, means a person that sells to the general public at least six (6):

(1) boats; or

(2) trailers:

(A) designed and used exclusively for the transportation of watercraft; and

(B) sold in general association with the sale of watercraft;

per year.

(d) "Dealer", for purposes of IC 9-32, and unless otherwise provided, means:

- (1) an automobile auctioneer;
- (2) an automotive mobility dealer;
- (3) a converter manufacturer;
- (4) a dealer;
- (5) a distributor;
- (6) a manufacturer;
- (7) a salvage dealer;
- (8) a transfer dealer;
- (9) a watercraft dealer; or
- (10) before July 1, 2015, a wholesale dealer.

SECTION 3. IC 9-13-2-103.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: **Sec. 103.1. "Mini-truck" means a truck that:**

- (1) is powered by an internal combustion engine with a piston or rotary displacement of not less than six hundred sixty (660) cubic centimeters;**
- (2) is sixty (60) inches or less in width;**
- (3) has an unladen dry weight of one thousand six hundred (1,600) pounds or less;**
- (4) can achieve a top speed of not more than sixty (60) miles per hour;**
- (5) is manufactured with a locking enclosed cab and a heated interior; and**
- (6) is operated on a highway.**

SECTION 4. IC 9-13-2-124 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 124. (a) "Person" means, except as otherwise provided in this section, an individual, a firm, a partnership, an association, a fiduciary, an executor or administrator, a governmental entity, a limited liability company, or a corporation.**

(b) "Person", for purposes of IC 9-14-3.5, does not include the state or an agency of the state.

(c) "Person", for purposes of IC 9-17:

- (1) has the meaning set forth in subsection (a); and**
- (2) includes a sole proprietorship.**

~~(d)~~ **(d) "Person", for purposes of IC 9-20-14, IC 9-20-15, and IC 9-20-18-13(b), means a mobile home or sectionalized building transport company, mobile home or sectionalized building manufacturer, mobile home or sectionalized building dealer, or mobile home or sectionalized building owner.**

~~(e)~~ **(e) "Person", for purposes of ~~IC 9-23~~; IC 9-32, means an individual, a corporation, a limited liability company, an association, a partnership, a trust, or other entity. The term does not include the state, an agency of the state, or a municipal corporation.**

SECTION 5. IC 9-13-2-124, AS AMENDED BY HEA 1396-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 124. (a) "Person" means, except as otherwise provided in this section, an individual, a firm, a partnership, an association, a fiduciary, an executor or administrator, a governmental entity, a limited liability company, or a corporation.**

(b) "Person", for purposes of IC 9-14-3.5, does not include the state or an agency of the state.

(c) "Person", for purposes of IC 9-17:

- (1) has the meaning set forth in subsection (a); and**
- (2) includes a sole proprietorship.**

~~(d)~~ **(d) "Person", for purposes of IC 9-20-14, IC 9-20-15, and IC 9-20-18-13(b), means a mobile home or sectionalized building transport company, mobile home or sectionalized building manufacturer, mobile home or sectionalized building dealer, or mobile home or sectionalized building owner.**

~~(e)~~ **(e) "Person", for purposes of IC 9-32, means an individual, a corporation, a limited liability company, an association, a partnership, a trust, or other entity. The term does not include the state, an agency of the state, or a municipal corporation.**

SECTION 6. IC 9-17-1-1, AS AMENDED BY HEA 1393-2015, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: **Sec. 1. (a) This article does not apply to the following:**

- (1) Special machinery.
- (2) Farm wagons.
- (3) A golf cart when operated in accordance with an ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).
- (4) A motor vehicle that was designed to have a maximum design speed of not more than twenty-five (25) miles per hour and that was built, constructed, modified, or assembled by a person other than the manufacturer.
- (5) Snowmobiles.
- (6) Motor driven cycles.
- (7) Except as otherwise provided, any other vehicle that is not registered in accordance with IC 9-18-2.

(b) Notwithstanding subsection (a), a person may apply for:

- (1) a certificate of title under IC 9-17-2-2; or
- (2) a special identification number IC 9-17-4;

for a vehicle listed in subsection (a). An application under this subsection must be accompanied by the applicable fee under IC 9-29.

(c) IC 9-17-2, IC 9-17-3, IC 9-17-4, and IC 9-17-5 apply to a mini-truck.

SECTION 7. IC 9-17-1-2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 2. For purposes of this article, "person" has the meaning set forth in IC 9-13-2-124(c).**

SECTION 8. IC 9-18-1-2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: **Sec. 2. This article applies to a mini-truck with the exception of the following:**

- (1) IC 9-18-7.**
- (2) IC 9-18-9 through IC 9-18-11.**
- (3) IC 9-18-13 through IC 9-18-14.**
- (4) IC 9-18-27 through IC 9-18-28.**
- (5) IC 9-18-32.**

SECTION 9. IC 9-18-12.5-7, AS ADDED BY SEA 506-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 7. (a) An operator may apply to the bureau to participate in the program.**

(b) An application must be in the form and manner prescribed by the bureau and must contain the following information:

- (1) The name and business address of the operator.
- (2) The preferred expiration month requested by the operator.
- ~~(3) Certificates of title and registration for all fleet vehicles in the exact name of the operator.~~
- ~~(4) (3)~~ All counties in which the fleet vehicles are registered.
- ~~(5) (4)~~ Any other information required by the bureau.

The bureau may designate an expiration month that differs from the preferred expiration month requested by the operator under subdivision (2).

(c) The bureau shall approve an application if the bureau is satisfied that the application is complete and accurate. Upon approval of the application, the bureau shall assign the fleet operator a fleet number.

(d) If an application does not contain a preferred expiration month, the bureau may:

- (1) deny the application; or
- (2) designate an expiration month and approve the application.

(e) An operator may not register a vehicle as a fleet vehicle in a county that is not designated in the application.

SECTION 10. IC 9-21-8-46, AS AMENDED BY P.L.210-2005, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 46. A person may not drive or operate:

- (1) an implement of agriculture designed to be operated primarily in a farm field or on farm premises; ~~or~~
- (2) a piece of special machinery; ~~or~~
- (3) a mini-truck;**

upon any part of an interstate highway.

SECTION 11. **An emergency is declared for this act.**

(Reference is to EHB 1047 as reprinted April 15, 2015.)

Wolkins, Chair Yoder
 Forestal Arnold
 House Conferees Senate Conferees

Roll Call 521: yeas 45, nays 3. Report adopted.

CONFERENCE COMMITTEE REPORT
EHB 1438-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1438 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

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

"SECTION 1. IC 20-24-3-18.5, AS ADDED BY P.L.47-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18.5. (a)

Notwithstanding IC 20-24-1-2.5 and except as provided in subsection (b), an adult high school as defined in IC 20-24-1-2.3 may only be authorized by the charter board **or the executive of a consolidated city.**

(b) This section does not prohibit ~~the mayor of Indianapolis an authorizer~~ from renewing a charter of an adult high school that was initially authorized by ~~the mayor of Indianapolis the authorizer~~ prior to July 1, 2014.

(c) An authorizer may not authorize an adult high school under this section unless the general assembly makes an appropriation for the adult high school under IC 20-24-7-13.5."

Renumber all SECTIONS consecutively.
 (Reference is to EHB 1438 as reprinted March 24, 2015.)

DeVon, Chair Kruse
 Moed Stoops
 House Conferees Senate Conferees

Roll Call 522: yeas 46, nays 1. Report adopted.

CONFERENCE COMMITTEE REPORT
EHB 1603-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1603 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 6-1.1-1-25 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: **Sec. 25. If a deadline imposed upon a political subdivision, the department of local government finance, or the Indiana board by this article is not a business day, the last day for the political subdivision, the department of local government finance, or the Indiana board to take the action required by this article is the first business day after the stated deadline.**

SECTION 2. IC 6-1.1-15-10.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: **Sec. 10.5. (a) The fiscal officer of a taxing unit may establish a separate fund known as the property tax assessment appeals fund to hold property tax receipts that are attributable to an increase in the taxing unit's tax rate caused by a reduction in the taxing unit's net assessed value under IC 6-1.1-17-0.5.**

(b) Money in a taxing unit's property tax assessment appeals fund may be used only to pay the following:

- (1) Expenses incurred by a county assessor in defending appeals prosecuted under this chapter with respect to property located in the taxing unit.**
- (2) Refunds under section 11 of this chapter.**

(c) The balance in a taxing unit's property tax assessment appeals fund may not exceed five percent (5%) of the amount budgeted by the taxing unit for a particular year.

(d) Money deposited in a taxing unit's property tax assessment appeals fund is not considered miscellaneous revenue. Both the taxing unit and the department of local government finance shall disregard any balance in the taxing unit's property tax assessment appeals fund in the determination of the taxing unit's property tax levy, property tax rate, and budget (except for appropriations for the purposes permitted by subsection (b)) for a particular calendar year.

SECTION 3. IC 6-1.1-15-19 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: **Sec. 19. (a) A county assessor shall quarterly send a notice to the fiscal officer of each taxing unit affected by an appeal prosecuted under this chapter, including the fiscal officer of an affected redevelopment commission established under IC 36-7. The notice must include the following information:**

- (1) The date on which a notice for review was filed.
- (2) The name and address of the taxpayer who filed the notice for review.
- (3) The assessed value for the assessment date the year before the appeal, and the assessed value on the most recent assessment date.
- (4) The status of the taxpayer's appeal.

(b) Each township assessor (if any) shall furnish to the county assessor all requested information necessary for purposes of providing the quarterly notices under this section.

(c) A notice required by this section may be provided to the appropriate fiscal officer in an electronic format.

(Reference is to EHB 1603 as printed March 20, 2015.)

Smaltz, Chair	Head
Pryor	Brodén
House Conferees	Senate Conferees

Roll Call 523: yeas 47, nays 0. Report adopted.

MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate dissent from the House Amendments to Senate Bill 315 and that a conference committee be appointed to confer with a like committee of the House.

SMITH

Motion prevailed.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE REMOVALS

Pursuant to Rule 84(c), of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has removed the following senator(s) as conferee(s) or advisor(s) on Engrossed Senate Bill 249:

Conferee: Mrvan

LONG

Date: 4/28/15
Time: 2:31 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE CHANGES

Pursuant to Rule 84(c), of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has made the following change in conferee (or advisor) appointments to Engrossed Senate Bill 249:

Breaux to replace Mrvan as conferee

LONG
Date: 4/28/15
Time: 2:31 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 315:

Conferees: Smith, Chair and Broden
Advisors: Head and Breaux

LONG
Date: 4/28/15
Time: 2:32 p.m.

Report adopted.

SENATE MOTION

Madam President: I move that Senators Alting, Arnold, A. Banks, Bassler, Becker, Boots, Bray, Breaux, Broden, Brown, Buck, Charbonneau, Crider, Delph, Eckerty, Ford, Glick, Grooms, Head, Hershman, Holdman, Houchin, Kenley, Kruse, Lanane, Leising, Long, Messmer, Patricia Miller, Pete Miller, Mishler, Mrvan, Niemeyer, Perfect, Raatz, Randolph, Rogers, Schneider, Smith, Steele, Stoops, Tallian, Taylor, Tomes, Waltz, Yoder, M. Young, and Zakas be added as coauthors of Senate Resolution 66.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Arnold, A. Banks, Bassler, Becker, Boots, Bray, Breaux, Broden, Brown, Buck, Charbonneau, Crider, Delph, Eckerty, Ford, Glick, Grooms, Head, Hershman, Holdman, Houchin, Kenley, Kruse, Lanane, Leising, Long, Merritt, Messmer, Patricia Miller, Pete Miller, Mishler, Mrvan, Niemeyer, Perfect, Raatz, Randolph, Rogers, Schneider, Smith, Stoops, Tallian, Taylor, Tomes, Walker, Waltz, Yoder, M. Young, and Zakas be added as coauthors of Senate Concurrent Resolution 56.

STEELE

Motion prevailed.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT

EHB 1159-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1159 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete the title and insert the following:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 22-5-7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 7. Protective Orders and Employment

Sec. 1. As used in this chapter, "protective order" has the meaning set forth in IC 5-2-9-2.1.

Sec. 2. (a) An employer may not terminate an employee from employment based on:

- (1) the filing, by the employee, for a petition for a protective order for the protection of the employee, whether or not the protective order has been issued; or**
- (2) the actions of an individual against whom the employee has filed a protective order.**

(b) This section does not prohibit an employer from altering:

- (1) the location of employment of an employee;**
- (2) an employee's compensation or benefits; or**
- (3) a term or condition of employment;**

upon which an employee and employer mutually have agreed to alter.

(Reference is to EHB 1159 as printed March 25, 2015.)

Judy, Chair	A. Banks
Macer	Arnold
House Conferees	Senate Conferees

Roll Call 524: yeas 33, nays 12. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1319-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1319 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Page 4, after line 3, begin a new paragraph and insert:

"SECTION 2. IC 14-25-7-12.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 12.5. (a) The department shall cooperate with the United States Geological Survey to establish a program under which volunteers may monitor the water resource and provide monitoring data to the commission, the department, and the United States Geological Survey. Data derived from the voluntary monitoring conducted under the program may be:**

- (1) collected and disseminated by the commission under section 12(1) of this chapter; and**
- (2) used by the commission in conducting the continuing assessment of the availability of the water resource under section 11(1) of this chapter.**

(b) The department may cooperate with other local, state, and federal governmental agencies in implementing this section.

(c) The commission, under IC 4-22-2 and section 10(a) of this chapter, may adopt rules concerning the administration of this section. Section 10(c) and 10(d) of this chapter does not apply to the adoption of rules under this subsection."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1319 as printed April 1, 2015.)

Koch, Chair	Charbonneau
Hale	Stoops
House Conferees	Senate Conferees

Roll Call 525: yeas 45, nays 0. Report adopted.

3:14 p.m.

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

RECESS

The Senate reconvened at 3:44 p.m., with the President of the Senate in the Chair.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Pursuant to Senate Rule 86(j), your Committee on Rules and Legislative Procedure to which were referred Conference Committee Reports filed on Engrossed Senate Bills 425 and 476 and Engrossed House Bills 1110 and 1469 have had the same under consideration and begs leave to report back to the Senate with the recommendation that said Conference Committee Reports are eligible for consideration.

LONG, Chair

Report adopted.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT

ESB 425-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 425 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 27-1-3-32 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2015]: **Sec. 32. The department shall develop, post, and maintain on the department's Internet web site information related to life insurance, including the manner in which an individual may do the following:**

- (1) Obtain information concerning the existence of a life insurance policy.
- (2) File a claim for life insurance benefits.
- (3) Make provision for resolution of financial affairs after the individual's death, including notification of life insurance beneficiaries and making financial documents known and accessible to survivors.

SECTION 2. IC 27-2-23-4, AS ADDED BY P.L.90-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) As used in this chapter, "annuity" refers to an annuity contract issued in Indiana **after June 30, 2015.**

(b) The term does not include an annuity contract used to fund an employment based retirement plan, the sponsor or administrator of which directs the insurer that issues the annuity contract.

SECTION 3. IC 27-2-23-9, AS ADDED BY P.L.90-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. (a) As used in this chapter, "policy" means a policy or certificate issued in Indiana **after June 30, 2015**, that provides the kind of insurance described in Class 1 of IC 27-1-5-1.

(b) The term does not include the following:

- (1) A policy or certificate that provides a death benefit under:
 - (A) an employee benefit plan that is subject to the federal Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.); or
 - (B) a federal employee benefit program.
- (2) A policy or certificate that is used to fund a preneed funeral contract or prearrangement.
- (3) A policy or certificate of credit life or accidental death insurance.
- (4) A policy issued to a group policy owner for which the insurer does not provide record keeping services.

SECTION 4. IC 27-2-23-10.2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2015]: **Sec. 10.2. As used in this chapter, "retained asset account" refers to a retained asset account that is issued in Indiana after June 30, 2015.**

SECTION 5. IC 27-2-23-13 IS REPEALED [EFFECTIVE JULY 1, 2015]. ~~Sec. 13: An insurer shall implement procedures to account for the following in complying with the requirements of this chapter:~~

- ~~(1) Common nicknames; initials used instead of a first or middle name; use of a middle name; compound first and middle names; and interchanged first and middle names.~~
- ~~(2) Compound last names; maiden or married names; and~~

~~hyphens; blank spaces; or apostrophes in last names.~~

~~(3) Transposition of the month and date parts of the date of birth.~~

~~(4) Incomplete Social Security number.~~

SECTION 6. IC 27-2-23-21 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2015]: **Sec. 21. This chapter does not prevent the attorney general from conducting an examination of the records of an insurance company under IC 32-34-1-42.**

(Reference is to ESB 425 as printed March 27, 2015.)

Holdman, Chair Lehman

Arnold Austin

Senate Conferees House Conferees

Roll Call 526: yeas 47, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT ESB 476-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 476 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 6-1.1-18-12, AS AMENDED BY P.L.2-2014, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) For purposes of this section, "maximum rate" refers to the maximum:

- (1) property tax rate or rates; or
- (2) special benefits tax rate or rates;

referred to in the statutes listed in subsection (d).

(b) The maximum rate for taxes first due and payable after 2003 is the maximum rate that would have been determined under subsection (e) for taxes first due and payable in 2003 if subsection (e) had applied for taxes first due and payable in 2003.

(c) The maximum rate must be adjusted each year to account for the change in assessed value of real property that results from:

- (1) an annual adjustment of the assessed value of real property under IC 6-1.1-4-4.5;
- (2) a general reassessment of real property under IC 6-1.1-4-4; or
- (3) a reassessment under a county's reassessment plan prepared under IC 6-1.1-4-4.2.

(d) The statutes to which subsection (a) refers are:

- (1) IC 8-10-5-17;
- (2) IC 8-22-3-11;
- (3) IC 8-22-3-25;
- (4) IC 12-29-1-1;
- (5) IC 12-29-1-2;
- (6) IC 12-29-1-3;

- (7) IC 12-29-3-6;
- (8) IC 13-21-3-12;
- (9) IC 13-21-3-15;
- (10) IC 14-27-6-30;
- (11) IC 14-33-7-3;
- (12) IC 14-33-21-5;
- (13) IC 15-14-7-4;
- (14) IC 15-14-9-1;
- (15) IC 15-14-9-2;
- (16) IC 16-20-2-18;
- (17) IC 16-20-4-27;
- (18) IC 16-20-7-2;
- (19) IC 16-22-14;
- (20) IC 16-23-1-29;
- (21) IC 16-23-3-6;
- (22) IC 16-23-4-2;
- (23) IC 16-23-5-6;
- (24) IC 16-23-7-2;
- (25) IC 16-23-8-2;
- (26) IC 16-23-9-2;
- (27) IC 16-41-15-5;
- (28) IC 16-41-33-4;
- (29) IC 20-46-2-3 (before its repeal on January 1, 2009);
- (30) IC 20-46-6-5;
- (31) IC 20-49-2-10;
- (32) IC 36-1-19-1;
- (33) IC 23-14-66-2;
- (34) IC 23-14-67-3;
- (35) IC 36-7-13-4;
- (36) IC 36-7-14-28;
- (37) IC 36-7-15.1-16;
- (38) IC 36-8-19-8.5;
- (39) IC 36-9-6.1-2;
- (40) IC 36-9-17.5-4;
- (41) IC 36-9-27-73;
- (42) IC 36-9-29-31;
- (43) IC 36-9-29.1-15;
- (44) IC 36-10-6-2;
- (45) IC 36-10-7-7;
- (46) IC 36-10-7-8;
- (47) IC 36-10-7.5-19;
- (48) IC 36-10-13-5;
- (49) IC 36-10-13-7;
- (50) IC 36-10-14-4;
- (51) IC 36-12-7-7;
- (52) IC 36-12-7-8;
- (53) IC 36-12-12-10;
- (54) a statute listed in IC 6-1.1-18.5-9.8; and
- (55) any statute enacted after December 31, 2003, that:

(A) establishes a maximum rate for any part of the:

- (i) property taxes; or
- (ii) special benefits taxes;

imposed by a political subdivision; and

(B) does not exempt the maximum rate from the adjustment under this section.

(e) For property tax rates imposed for property taxes first due and payable after December 31, 2013, the new maximum rate

under a statute listed in subsection (d) is the tax rate determined under STEP EIGHT of the following STEPS:

STEP ONE: Except as provided in subsection (g), determine the maximum rate for the political subdivision levying a property tax or special benefits tax under the statute for the previous calendar year.

STEP TWO: Determine the actual percentage change (rounded to the nearest one-hundredth percent (0.01%)) in the assessed value of the taxable property from the previous calendar year to the year in which the affected property taxes will be imposed.

STEP THREE: Determine the three (3) calendar years that immediately precede the year in which the affected property taxes will be imposed.

STEP FOUR: Compute separately, for each of the calendar years determined in STEP THREE, the actual percentage change (rounded to the nearest one-hundredth percent (0.01%)) in the assessed value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property from the preceding year.

STEP FIVE: Divide the sum of the three (3) quotients computed in STEP FOUR by three (3).

STEP SIX: Determine the greater of the following:

- (A) Zero (0).
- (B) The STEP FIVE result.

STEP SEVEN: Determine the greater of the following:

- (A) Zero (0).
- (B) The result of the STEP TWO percentage minus the STEP SIX percentage, if any.

STEP EIGHT: Determine the quotient of the STEP ONE tax rate divided by the sum of one (1) plus the STEP SEVEN percentage, if any.

(f) The department of local government finance shall compute the maximum rate allowed under subsection (e) and provide the rate to each political subdivision with authority to levy a tax under a statute listed in subsection (d).

(g) This subsection applies only when calculating the maximum rate for taxes due and payable in calendar year 2013. The STEP ONE result is the greater of the following:

- (1) The actual maximum rate established for property taxes first due and payable in calendar year 2012.
- (2) The maximum rate that would have been established for property taxes first due and payable in calendar year 2012 if the maximum rate had been established under the formula under this section, as amended in the 2012 session of the general assembly.

(h) This subsection applies only when calculating the maximum rate allowed under subsection (e) for the Vincennes Community School Corporation with respect to property taxes first due and payable in 2014. The subsection (e) STEP ONE result for the school corporation's capital projects fund is nineteen and forty-two hundredths cents (\$.1942).

(i) This subsection does not apply when calculating the maximum rate for the Vincennes Community School Corporation. This subsection applies only when calculating the maximum rate for a school corporation's capital projects fund for taxes due and payable in calendar year 2016. The subsection (e) STEP ONE result for purposes of the

calculation of that maximum rate is the greater of the following:

(1) The actual maximum rate established for the school corporation's capital projects fund for property taxes first due and payable in calendar year 2015.

(2) The maximum rate that would have been established for the school corporation's capital projects fund for property taxes first due and payable in calendar year 2015 if the formula specified in subsection (e) had been in effect for the determination of maximum rates for each calendar year after 2006.

SECTION 2. An emergency is declared for this act.

(Reference is to ESB 476 as reprinted April 15, 2015.)

Head, Chair	Friend
Rogers	Porter
Senate Conferees	House Conferees

Roll Call 527: yeas 47, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1110-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1110 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Page 3, delete lines 36 through 42, begin a new paragraph and insert:

"SECTION 5. IC 33-23-5-9, AS AMENDED BY SEA 137-2015, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. (a) Except as provided under subsection (b), a magistrate shall report findings in an evidentiary hearing, a trial, or a jury's verdict to the court. The court shall enter the final order.

(b) If a magistrate presides at a criminal trial **or a guilty plea hearing**, the magistrate may do the following:

- (1) Enter a final order.
- (2) Conduct a sentencing hearing.
- (3) Impose a sentence on a person convicted of a criminal offense.

(c) This subsection does not apply to a consolidated city. Unless the defendant consents, a magistrate who did not preside at the criminal trial may not preside at the sentencing hearing. However, this subsection does not prohibit a magistrate from presiding at a sentencing hearing if there was no trial."

Page 4, delete lines 1 through 3.

Page 5, delete lines 32 through 42.

Page 6, delete lines 1 through 22.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1110 as reprinted April 14, 2015.)

Steuerwald, Chair	Steele
Stemler	Randolph
House Conferees	Senate Conferees

Roll Call 528: yeas 46, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1469-1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1469 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 22-2-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. Every such person, firm, corporation, limited liability company, or association who shall fail to make payment of wages to any such employee as provided in section 1 of this chapter shall ~~as liquidated damages for such failure; pay be liable to such the~~ employee for ~~each day that the amount due to him remains unpaid ten percent (10%) of the amount due to him in addition thereto; not exceeding double the amount of unpaid wages, due;~~ and ~~said damages the amount~~ may be recovered in any court having jurisdiction of a suit to recover the amount due to ~~such the~~ employee. ~~and The court shall order as costs in the case a reasonable fee for the plaintiff's attorney and court costs. In addition, if the court in any such suit so brought to recover said wages or the determines that the person, firm, corporation, limited liability company, or association that failed to pay the employee as provided in section 1 of this chapter was not acting in good faith, the court shall order, as liquidated damages for nonpayment thereof; or both, the court shall tax and assess as costs in said case a reasonable fee for the plaintiff's attorney or attorneys: the failure to pay wages, that the employee be paid an amount equal to two (2) times the amount of wages due the employee.~~

SECTION 2. IC 22-2-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) Any assignment of the wages of an employee is valid only if all of the following conditions are satisfied:

- (1) The assignment is:
 - (A) in writing;
 - (B) signed by the employee personally;
 - (C) by its terms revocable at any time by the employee upon written notice to the employer; and
 - (D) agreed to in writing by the employer.
- (2) An executed copy of the assignment is delivered to the employer within ten (10) days after its execution.
- (3) The assignment is made for a purpose described in subsection (b).

(b) A wage assignment under this section may be made for the purpose of paying any of the following:

- (1) Premium on a policy of insurance obtained for the employee by the employer.
- (2) Pledge or contribution of the employee to a charitable or nonprofit organization.
- (3) Purchase price of bonds or securities, issued or

guaranteed by the United States.

(4) Purchase price of shares of stock, or fractional interests therein, of the employing company, or of a company owning the majority of the issued and outstanding stock of the employing company, whether purchased from such company, in the open market or otherwise. However, if such shares are to be purchased on installments pursuant to a written purchase agreement, the employee has the right under the purchase agreement at any time before completing purchase of such shares to cancel said agreement and to have repaid promptly the amount of all installment payments which theretofore have been made.

(5) Dues to become owing by the employee to a labor organization of which the employee is a member.

(6) Purchase price of merchandise, ~~sold goods~~, or food offered by the employer and sold to the employee, for the employee's benefit, use, or consumption, at the written request of the employee.

(7) Amount of a loan made to the employee by the employer and evidenced by a written instrument executed by the employee subject to the amount limits set forth in section 4(c) of this chapter.

(8) Contributions, assessments, or dues of the employee to a hospital service or a surgical or medical expense plan or to an employees' association, trust, or plan existing for the purpose of paying pensions or other benefits to said employee or to others designated by the employee.

(9) Payment to any credit union, nonprofit organizations, or associations of employees of such employer organized under any law of this state or of the United States.

(10) Payment to any person or organization regulated under the Uniform Consumer Credit Code (IC 24-4.5) for deposit or credit to the employee's account by electronic transfer or as otherwise designated by the employee.

(11) Premiums on policies of insurance and annuities purchased by the employee on the employee's life.

(12) The purchase price of shares or fractional interest in shares in one (1) or more mutual funds.

(13) A judgment owed by the employee if the payment:

(A) is made in accordance with an agreement between the employee and the creditor; and

(B) is not a garnishment under IC 34-25-3.

(14) The purchase of uniforms and equipment necessary to fulfill the duties of employment. The total amount of wages assigned may not exceed the lesser of:

(A) two thousand five hundred dollars (\$2,500) per year; or

(B) five percent (5%) of the employee's weekly disposable earnings (as defined in IC 24-4.5-5-105(1)(a)).

(15) Reimbursement for education or employee skills training. However, a wage assignment may not be made if the education or employee skills training benefits were provided, in whole or in part, through an economic development incentive from any federal, state, or local program.

(16) An advance for:

(A) payroll; or

(B) vacation;

pay.

(c) The interest rate charged on amounts loaned or advanced to an employee and repaid under subsection (b) may not exceed the bank prime loan interest rate as reported by the Board of Governors of the Federal Reserve System or any successor rate, plus four percent (4%).

(Reference is to EHB 1469 as reprinted March 25, 2015.)

Ober, Chair	Boots
Washburne	Perfect
House Conferees	Senate Conferees

Roll Call 529: yeas 37, nays 11. Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has accepted and approved the Joint Rule 20 correction on Engrossed House Bills 1350, 1388, and 1393.

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 accepted and approved the Joint Rule 20 correction on Engrossed Senate Bill 516.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed House Bill 1603.

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 35 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed Senate Bill 267.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed House Bills 1159 and 1319.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senate Rule 82(c) be suspended with regard to its application to all Motions to Concur filed on April 28, 2015.

LONG

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules & Legislative Procedure, to which was referred the motion of Senator Long requesting suspension of Senate Rule 82(c) for Motions to Concur filed for all Engrossed Senate Bills on April 28, 2015, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said motion be adopted.

LONG, Chair

Report adopted.

**MOTIONS TO CONCUR
IN HOUSE AMENDMENTS**

SENATE MOTION

Madam President: I move that the Senate do concur with the House amendments to Senate Bill 528.

PETE MILLER

After discussion, the call was withdrawn.

SENATE MOTION

Madam President: I move we adjourn until 11:00 a.m., Wednesday, April 29, 2015.

LONG

Motion prevailed.

The Senate adjourned at 4:09 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUE ELLSPERMANN
President of the Senate