



Journal of the House

State of Indiana

118th General Assembly

Second Regular Session

Fourth Day

Monday Afternoon

January 13, 2014

The invocation was offered by Reverend Dr. David Hampton, Senior Pastor of Light of the World Christian Church in Indianapolis, the guest of Speaker Brian C. Bosma.

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

The Pledge of Allegiance to the Flag was led by Representative Earl L. Harris.

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

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

Turner
Ubelhor
VanDenburgh
VanNatter
Washburne

Wesco
Wolkins
Zent
Ziemke
Mr. Speaker

Roll Call 4: 94 present; 6 excused. The Speaker announced a quorum in attendance. [NOTE: indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 14, 2014, at 1:30 p.m.

FRIEND

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1028, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 20-24-1-2.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 2.3. "Adult high school" means a charter school that will serve students who:**

- (1) are at least eighteen (18) years of age; and**
- (2) have dropped out of high school before receiving a diploma."**

Page 1, line 3, strike "Except as provided in".

Page 1, line 4, strike "subsection (b),".

Page 1, line 4, delete "a" and insert "A".

Page 1, strike lines 6 through 11.

Page 1, line 11, after "(a)." insert "**an adult high school.**".

Page 1, line 12, delete "(c)" and insert "**(b)**".

Page 1, line 15, delete "a charter school that is" and insert "**an adult high school may be authorized by any authorizer.**".

Page 1, delete line 16.

Page 2, delete lines 1 through 2.

Page 2, line 37, after "federal" insert "**and state**".

Page 2, line 38, after "(d)" insert "**A Christel House Academy that, before July 1, 2013, was granted a charter by the mayor of Indianapolis to establish an adult high school is not entitled to state funding if the adult high school was not in operation on May 1, 2013.**".

Page 2, line 38, strike "A charter school that is granted a charter as described in".

Page 2, strike line 39.

Page 3, line 10, delete "a charter school that:" and insert "**an adult high school.**".

Page 3, delete lines 11 through 13.

Page 3, delete lines 20 through 32, begin a new paragraph and insert:

"SECTION 5. IC 20-31-8-5.2, AS ADDED BY SEA 24-2014, SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5.2. (a) The state board shall establish an alternative accountability system to assess the performance of **an adult high school, a charter school that is sponsored by the Indiana charter school board established by IC 20-24-2.1-1 and designated as a recovery school or an accelerated learning center.**

(b) **An adult high school is subject to the alternative accountability system developed by the state board under subsection (a).**"

Renumber all SECTIONS consecutively.
(Reference is to HB 1028 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1037, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "agency" and insert "**agency, the Indiana Public Broadcasting Stations, Inc.,**".

(Reference is to HB 1037 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

FRYE, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 7

Representatives Cox, Baird, Behning, T. Brown, Carbaugh, Clere, Culver, DeVon, Frizzell, GiaQuinta, Hamm, Heaton, Heuer, Huston, Frye, Karickhoff, Kirchofer, Lehe, Lutz, Morris, Morrison, Neese, Niemeyer, Ober, Price, Saunders, McNamara, Lehman, Leonard, M. Smith, Smaltz, Slager, Ziemke, Zent, Kubacki, Thompson, Torr, Negele, Wolkins, Richardson, Washburne, VanNatter, Steuerwald, Speedy, Burton, Braun, Ubelhor, Arnold, Rhoads and Beumer introduced House Concurrent Resolution 7:

A CONCURRENT RESOLUTION requesting the Indiana Department of Transportation name that portion of U.S. Highway 24 from U.S. Highway 30 east of New Haven to State Line Road in Allen County the "Phyllis J. Pond Memorial Highway".

Whereas, Representative Phyllis J. Pond passed away on September 22, 2013;

Whereas, Residing in New Haven, Representative Pond was elected to the House of Representatives in 1978 and was the longest-serving woman in the state's history;

Whereas, Representative Pond was the first woman to earn a seat in the first row of the House, an honor reserved for high ranking members with seniority;

Whereas, During her 35 years in office, Representative Pond was committed to the people of her district and her state;

Whereas, Representative Pond was a strong advocate for the construction of the U.S. Highway 24 "Fort to Port" project between New Haven and the Indiana - Ohio state line;

Whereas, The "Fort to Port" project was designed to improve access and safety and promote economic development across northeastern Indiana and northern Ohio;

Whereas, Representative Pond was a retired kindergarten teacher who was well known for introducing measures that reduced class sizes throughout the state and helped minority students attend law school; and

Whereas, It is, therefore, fitting that the proper signage be placed on U.S. Highway 24 between U.S. Highway 30 east of New Haven, Indiana, and State Line Road in Allen County, Indiana, to designate it as the "Phyllis J. Pond Memorial Highway": Therefore,

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

SECTION 1. That the Indiana General Assembly expresses its deepest condolences to the family of Representative Phyllis J. Pond and its sincerest gratitude for her years of dedicated service to her district and her state and to honor her memory by requesting that the Indiana Department of Transportation name that portion of U.S. Highway 24 between U.S. Highway 30 east of New Haven and State Line Road in Allen County in her honor.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the family of Representative Phyllis J. Pond and the Commissioner of the Indiana Department of Transportation.

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

House Concurrent Resolution 6

Representatives Clere, Stemler and Rhoads introduced House Concurrent Resolution 6:

A CONCURRENT RESOLUTION honoring the Providence High School girls volleyball team.

Whereas, Top-ranked Providence High School won its first volleyball state championship by defeating Hammond's Bishop Noll High School, 25-18, 25-15, 25-20, in the final match at Worthen Arena at Ball State University;

Whereas, With a record of 36 - 4, Providence High School appeared in the state championship game for the seventh time, returning after finishing as runner-up in last year's championship final match;

Whereas, After their fourth loss of the year on September 25, the Pioneers overpowered their final 17 opponents 44-0;

Whereas, Providence alumna Head Coach Terri Purichia has guided the Pioneers to the Indiana High School Athletic Association state finals five times during her coaching tenure;

Whereas, Abby Spitznagel was named as the Class 2A Mental Attitude Award winner by the Indiana High School Athletic Association Executive Committee;

Whereas, Abby, team captain and defensive specialist, led her team to the state finals the past two years, and, during her career at Providence, has won three sectional and regional titles, two semi-state championships, and a semi-state runner-up finish; and

Whereas, It is fitting that we give special recognition to the young ladies and coaches of the Providence High School volleyball team: Therefore,

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

SECTION 1. That the Indiana General Assembly wishes to congratulate the Providence High School girls volleyball team on its state championship title and to wish team members

continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to members of the Providence High School girls volleyball team, Head Coach Terri Purichia, Assistant Coaches Brandy Denning, Hayley Koetter, Taylor Gelbach, Karrie Quenichet, and Jenna Denstorff, Athletic Director Mickey A. Golembeski, Principal Dr. Mindy Ernstberger, and President Joan Hurley.

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

House Concurrent Resolution 8

Representative Friend introduced House Concurrent Resolution 8:

A CONCURRENT RESOLUTION to convene a Joint Session of the One Hundred Eighteenth General Assembly of the State of Indiana.

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

SECTION 1. That a joint convention of the Senate and House of Representatives be convened, to meet in the Chamber of the House of Representatives at 7:00 p.m. on Tuesday, January 14, 2014, to receive the Governor's message that will be given in compliance with Article 5, Section 13 of the Constitution of the State of Indiana and the Speaker is directed to appoint a committee of four members of this House to transmit this resolution to the Senate and report to this House such actions as the Senate may take.

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

House Concurrent Resolution 9

Representative Friend introduced House Concurrent Resolution 9:

A CONCURRENT RESOLUTION to convene a Joint Session of the One Hundred Eighteenth General Assembly of the State of Indiana.

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

SECTION 1. That a joint convention of the Senate and House of Representatives be convened, to meet in the Chamber of the House of Representatives at 2:00 p.m. on Wednesday, January 15, 2014, to receive the Chief Justice's message which will be given in compliance with Article 7, Section 3 of the Constitution of the State of Indiana and the Speaker is directed to appoint a committee of four members of this House to transmit this resolution to the Senate and report to this House such action as the Senate may take.

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

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 4 were read a first time by title and referred to the respective committees:

HB 1001 — Turner, T. Brown, Braun, Huston
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code

concerning taxation.

HB 1002 — T. Brown, Soliday
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1144 — Wesco
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1145 — Washburne, Riecken
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1146 — Washburne, DeLaney
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1147 — Washburne
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1148 — Washburne
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1149 — Washburne
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1150 — Bartlett
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1151 — Bartlett
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1152 — V. Smith
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1154 — Friend, Ubelhor, Wolkins, Messmer
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1155 — Turner, McMillin, Shackelford, Porter
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1156 — Riecken
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT concerning human services.

HB 1157 — Forestal
Committee on Utilities and Energy
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1158 — Zent
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1159 — Ubelhor
Committee on Utilities and Energy
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1160 — Ubelhor
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1161 — Price, Burton
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1162 — Braun
Committee on Utilities and Energy
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1163 — Harman
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1164 — Klinker
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1165 — Klinker
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1166 — Klinker
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

HB 1167 — Klinker
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1168 — Klinker
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

HB 1169 — Kersey
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1170 — Kersey
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1171 — Heuer
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1172 — Kirchhofer, Koch
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1173 — Harris, Shackelford
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1174 — Harris, Porter
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1175 — Burton
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1176 — GiaQuinta
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1177 — GiaQuinta, Heuer, Battles
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1178 — Negele, Karickhoff
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1179 — Pierce
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HOUSE BILLS ON SECOND READING

House Bill 1004

Representative Behning called down House Bill 1004 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1004-4)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 1, delete lines 1 through 16.

Delete page 2.

Page 3, delete lines 1 through 3.

Page 3, line 32, delete "IC 12-17.2-7-2)" and insert "**IC 20-52-1-4)**".

Page 3, line 33, delete "IC 12-17.2-7-1)" and insert "**IC 20-52-1-3)**".

Page 3, line 35, delete "IC 12-17.2-7-7." and insert "**IC 20-52-2-1.**".

Page 4, delete lines 25 through 42 and begin a new paragraph and insert:

"SECTION 3. IC 20-52 IS ADDED TO THE INDIANA CODE AS A **NEW ARTICLE** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

ARTICLE 52. EARLY EDUCATION SCHOLARSHIPS Chapter 1. Definitions

Sec. 1. The following definitions apply throughout this article.

Sec. 2. "Division" refers to division of family resources established by IC 12-13-1-1.

Sec. 3. "Eligible child" refers to an individual who:

- (1) is at least four (4) years of age and less than five (5) years of age on August 1 of the state fiscal year for which a scholarship is sought;
- (2) is a resident of Indiana or otherwise has legal settlement in Indiana, as determined under IC 20-26-11;
- (3) is a member of a household with an annual income that does not exceed one hundred eighty-five percent (185%) of the federal poverty level;
- (4) receives at least one hundred eighty (180) days of eligible services per year from an eligible provider or the equivalent number of instructional hours, as determined by the department; and
- (5) has a parent, guardian, or custodian who participates in a parental engagement and involvement component provided by the eligible provider.

Sec. 4. "Eligible provider" refers to a person that:

- (1) provides eligible services;
- (2) is located in a county in which the program is implemented; and
- (3) administers the kindergarten readiness assessment adopted by the department.

Sec. 5. "Eligible services" refers to a program of early education services:

- (1) that:
 - (A) meets the standards of quality recognized by a Level 3 or Level 4 paths to QUALITY program rating;
 - (B) is nationally accredited by an accrediting body recognized by the division or the state board;
 - (C) is provided by a school that is accredited by the state board;
 - (D) is provided, before July 1, 2015, by an eligible school (as defined in IC 20-51-1-4.7); or
 - (E) is provided, before July 1, 2015, by a participating school (as defined in IC 20-51-1-6);
- (2) that includes a parental engagement and involvement component based on the guidelines established under IC 20-52-2-10; and
- (3) that administers the kindergarten readiness assessment (ISTAR-KR) adopted by the department or another kindergarten readiness assessment selected by the early learning advisory committee under IC 12-17.2-3.6-9(b) to children receiving eligible services as required by the department.

Sec. 6. "Paths to QUALITY program" has the meaning set forth in IC 12-17.2-2-14.2(b).

Sec. 7. "Program" refers to the early education scholarship pilot program established by IC 20-52-2-1.

Sec. 8. "Scholarship" refers to an early education scholarship awarded under IC 20-52-2.

Chapter 2. Early Education Scholarship Pilot Program

Sec. 1. (a) The early education scholarship pilot program is established to reduce the out-of-pocket fees that an eligible child or an eligible child's parent, guardian, or custodian would otherwise be required to pay to an eligible provider for the eligible child to receive eligible services after the application of the maximum amount of all other state and federal grants and distributions available for reimbursement for the eligible services.

(b) The department, in consultation with the division, shall administer the program, which must begin after June 30, 2015, in not more than five (5) counties in Indiana, as chosen by the department.

Sec. 2. (a) After June 30, 2015, an eligible child may receive a scholarship through the program in accordance with this chapter.

(b) A scholarship that has been awarded for an eligible child may be terminated any time the eligible child fails to

comply with the requirements for eligibility established by or under this chapter.

(c) A scholarship is not a grant to or contract with a provider but must be considered assistance to the eligible child and the parent, guardian, or custodian of the eligible child.

(d) The amount of a scholarship provided for an eligible child may not be treated as income or a resource for purposes of qualifying for any other federal or state grant or program administered by the state or a political subdivision.

(e) To qualify for a scholarship, a parent, guardian, or custodian must apply for the scholarship in the manner prescribed by the department.

(f) An eligible child is not prohibited from receiving a scholarship under this chapter if the eligible provider receives a matching grant under IC 12-17.2-3.6-13.

Sec. 3. The maximum amount that may be awarded under this chapter for all eligible services provided to an eligible child in a state fiscal year is:

- (1) six thousand eight hundred dollars (\$6,800), for an eligible child who attends a full-day program at an eligible provider, as determined by the department; or
- (2) three thousand four hundred dollars (\$3,400), for an eligible child who attends a half-day program at an eligible provider, as determined by the department.

Sec. 4. The total amount of all scholarships awarded for eligible services provided in a state fiscal year may not exceed the amount appropriated for scholarships for that state fiscal year (less any amount appropriated to administer the scholarship program).

Sec. 5. (a) Scholarships shall be awarded for eligible services at the rates, in the manner, and in the amounts determined by the department.

(b) The department shall distribute scholarship amounts on a periodic basis determined by the department.

(c) An amount distributed under subsection (b) must be based on the number and length of days of eligible services received by an eligible child during the period for which the amount is distributed.

(d) The department may distribute any part of a scholarship to the parent, guardian, or custodian of the eligible child. For a distribution described in this subsection to be valid, the distribution must be endorsed by both the parent, guardian, or custodian of the eligible child and the eligible provider that provides the eligible services.

Sec. 6. (a) To be eligible to receive scholarship payments, an eligible provider:

- (1) may be required by the department to register with the department on a form prescribed by the department;
- (2) may not discriminate on the basis of race, color, or national origin; and
- (3) must otherwise comply with all applicable laws and rules governing the provider.

(b) The department may suspend or terminate an eligible provider's participation in the program if the eligible provider fails to comply with subsection (a).

Sec. 7. (a) Each year an eligible provider shall administer to children receiving eligible services provided by an eligible provider a kindergarten readiness assessment selected by the early learning advisory committee under IC 12-17.2-3.6-9(b). If, in a particular year, less than seventy percent (70%) of children who attend an eligible provider do not pass a kindergarten readiness assessment selected by the early learning advisory committee under IC 12-17.2-3.6-9, the eligible provider may continue to participate in the program only on a probationary basis.

(b) An eligible provider may not participate in the program after the second consecutive year in which less than seventy percent (70%) of the children who attend the

eligible provider do not pass a kindergarten readiness assessment selected by the early learning advisory committee under IC 12-17.2-3.6-9.

Sec. 8. The department may adopt rules under IC 4-22-2 to implement this chapter.

Sec. 9. The department shall assign an eligible child who receives a scholarship under this chapter a student testing number to track the eligible child's educational growth and development.

Sec. 10. The department shall develop and maintain guidelines for the inclusion in every eligible provider's eligible services under this chapter of a component increasing engagement and involvement of a child's parent, guardian, or custodian in the child's education."

Delete pages 5 through 7.

Page 8, delete lines 1 through 7.

Page 9, line 35, delete "IC 12-17.2-7" and insert "IC 20-52-2".

Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as printed January 10, 2014.)

V. SMITH

Upon request of Representatives Pelath and V. Smith, the Speaker ordered the roll of the House to be called. Roll Call 5: yeas 29, nays 64. Motion failed.

HOUSE MOTION
(Amendment 1004-1)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 3, between lines 25 and 26, begin a new line block indented and insert:

"(5) Determine a passage rate on the kindergarten readiness assessment selected under subsection (b) that must be achieved by the children who attend an eligible provider for the eligible provider to continue to participate in the early education scholarship pilot program under IC 12-17.2-7."

Page 3, line 26, strike "(5)" and insert "(6)".

Page 6, line 7, after "division." insert "The counties chosen must include both rural and urban counties."

Page 6, line 24, delete "may receive" and insert "is not prohibited from receiving".

Page 7, line 27, delete "less than seventy percent (70%) of children who attend an" and insert "the percentage of children who:

(1) attend an eligible provider; and

(2) pass the kindergarten readiness assessment selected under IC 12-17.2-3.6-9(b);

is less than the passage rate determined by the early learning advisory committee under IC 12-17.2-3.6-9(a)(5)."

Page 7, delete lines 28 through 29.

Page 7, line 30, delete "IC 12-17.2-3.6-9,".

Page 7, line 33, delete "less than seventy" and insert "the percentage of children who:

(1) attend the eligible provider; and

(2) pass the kindergarten readiness assessment selected under IC 12-17.2-3.6-9(b);

is less than the passage rate determined by the early learning advisory committee under IC 12-17.2-3.6-9(a)(5)."

Page 7, delete lines 34 through 36.

(Reference is to HB 1004 as printed January 10, 2014.)

BEHNING

Motion prevailed.

HOUSE MOTION
(Amendment 1004-12)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 4, line 21, delete "and".

Page 4, line 24, delete "." and insert "; and

(F) have a parent or guardian who agrees to enroll the child in kindergarten under IC 20-33-2-7 after the child completes an early education program."

Page 4, delete line 42.

Page 5, line 3, delete "." and insert "; and

(6) has a parent or guardian who agrees to enroll the child in kindergarten under IC 20-33-2-7 after the child completes an early education program."

(Reference is to HB 1004 as printed January 10, 2014.)

V. SMITH

Motion prevailed.

HOUSE MOTION
(Amendment 1004-13)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 3, between lines 25 and 26, begin a new line block indented and insert:

"(5) Determine an attendance rate that an eligible child must meet to continue to participate in the early education scholarship pilot program under IC 12-17.2-7."

Page 3, line 26, strike "(5)" and insert "(6)".

Page 4, line 21, delete "and".

Page 4, line 24, delete "provider." and insert "provider; and **(F) have a parent or guardian who agrees to ensure that the child meets the attendance requirements determined under section 9(a)(5) of this chapter."**

Page 4, delete line 42. Page 5, line 3, delete "provider." and insert "provider; and

(6) has a parent or guardian who agrees to ensure that the child meets the attendance requirements determined under IC 12-17.2-3.6-9(a)(5)."

(Reference is to HB 1004 as printed January 10, 2014.)

V. SMITH

Upon request of Representatives Porter and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 6: yeas 94, nays 0. Motion prevailed.

HOUSE MOTION
(Amendment 1004-15)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning human services and to make an appropriation.

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

"SECTION 1. IC 4-12-1-15.7, AS ADDED BY P.L.146-2008, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 15.7. (a) As used in this section, "fund" refers to the state tuition reserve fund.

(b) The state tuition reserve fund is established for the following purposes:

(1) To fund a tuition support distribution under IC 20-43 whenever the budget director determines that state general fund cash balances are insufficient to cover the distribution.

(2) To meet revenue shortfalls whenever the budget director, after review by the budget committee, determines that state tax revenues available for deposit in the state general fund will be insufficient to fully fund tuition support distributions under IC 20-43 in any particular state fiscal year.

(c) The fund consists of the following:

(1) Money appropriated to the fund by the general assembly.

(2) Money transferred to the fund under any law.

~~(3) Interest earned on the balance of the fund.~~

(d) 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 money may be invested. **After June 30, 2014**, interest that accrues from these investments shall be deposited in the ~~fund~~ **early learner building block grant fund established by IC 20-43-15-8.**

(e) Money in the fund at the end of a state fiscal year does not revert for any other purpose of the state general fund.

(f) The budget agency shall administer the fund. Whenever the budget director makes a determination under subsection (b)(1) or (b)(2), the budget agency shall notify the auditor of state of the amount from the fund to be used for state tuition support distributions. The auditor of state shall transfer the amount from the fund to the state general fund. The amount transferred may be used only for the purposes of making state tuition support distributions under IC 20-43. If the amount is transferred under subsection (b)(1), the amount shall be repaid to the fund from the state general fund before the end of the state fiscal year in which the transfer is made."

Page 8, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 11. IC 20-43-15 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

Chapter 15. Early Learner Building Block Grants

Sec. 1. As used in this chapter, "eligible early learner program" means a prekindergarten education program that:

- (1) is offered free of charge throughout the school corporation's entire academic year;
- (2) is nationally accredited; and
- (3) complies with the standards adopted by the department under section 4 of this chapter.

Sec. 2. As used in this chapter, "school corporation" means a local public school corporation established under Indiana law and authorized to levy taxes for the maintenance of schools. The term does not include a charter school.

Sec. 3. The department shall administer an early learner building block grant program. A school corporation is not entitled to a grant under this chapter and must compete for a grant in the manner prescribed by the department. The maximum amount of money available for grants under this chapter is fifteen million dollars (\$15,000,000) per state fiscal year, which must be allocated so that not more than five million dollars (\$5,000,000) per state fiscal year is awarded to school corporations from each of the following categories:

- (1) Rural school corporations.
- (2) Suburban school corporations.
- (3) Urban school corporations.

Sec. 4. The department shall do the following to administer the early learner building block grant program under section 3 of this chapter:

- (1) Establish the standards of prekindergarten education that a school corporation must meet to offer an eligible early learner program.
- (2) Categorize each school corporation offering an eligible early learner program as a rural school corporation, a suburban school corporation, or an urban school corporation for purposes of this chapter.
- (3) Establish the standards for evaluating each grant application submitted under this chapter.
- (4) Annually evaluate the grant program established under this chapter.
- (5) Post the annual evaluation of the grant program on the department's Internet web site.

Sec. 5. A school corporation offering an eligible early learner program may apply for a grant under this chapter on a form prescribed by the department. The department

shall evaluate and score each application using the standards established under section 4 of this chapter.

Sec. 6. The department annually shall award grants to the five (5) school corporations that submit the five (5) highest scoring applications in each category described in section 3 of this chapter. A grant awarded under this section may not exceed one million dollars (\$1,000,000).

Sec. 7. (a) A school corporation may use a grant received under this chapter to pay for the following:

- (1) Personnel costs, including health insurance and other benefits, incurred to provide an eligible early learner program.
- (2) Classroom supplies used in an eligible early learner program.
- (3) Electronics and other equipment used in an eligible early learner program.
- (4) Other operating expenses incurred to provide an eligible early learner program.

(b) A grant received under this chapter may not be used to pay capital expenses.

(c) A school corporation is responsible for any expenses incurred to provide an eligible early learner program that exceed the amount of the grant received under this chapter.

(d) A school corporation shall return any unused grant amount for a particular state fiscal year to the department for deposit in the early learner building block grant fund established by section 8 of this chapter. Amounts returned under this subsection must be received by the department before August 1 in the following state fiscal year.

Sec. 8. (a) The early learner building block grant fund is established to make grants awarded under section 6 of this chapter.

(b) The fund consists of the following:

- (1) Appropriations made by the general assembly.
- (2) Amounts deposited in the fund by the treasurer of state under IC 4-12-1-15.7.
- (3) Amounts deposited in the fund by the department under section 9 of this chapter.
- (4) Unused grant amounts returned to the department under section 7(d) of this chapter.
- (5) Interest earned on the balance of the fund.
- (6) Gifts, grants, devises, or bequests made to the state to achieve the purposes of the fund.

(c) The department shall administer the fund.

(d) The fund must be separate and distinct from other funds administered by the department, and money in the fund may not be exchanged with or transferred to other funds.

(e) 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 are invested. Interest that accrues from these investments must be deposited in the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund, but remains available to make early learner building block grants under this chapter.

(g) Money in the fund is annually appropriated to the department for the purposes of this chapter.

Sec. 9. The department may deposit into the early learner building block grant fund any amount of undistributed money appropriated to the department for tuition support.

Sec. 10. There is annually appropriated to the department from the state general fund an amount sufficient to make the grants awarded under this chapter after first applying the amounts described in section 8(b)(2) and 8(b)(3) of this chapter toward making the grants. Amounts appropriated under this section may be used only for the purpose of making grants under this chapter."

Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as printed January 10, 2014.)

PORTER

Representative Torr rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill.

After discussion, Representative Porter withdrew motion.

HOUSE MOTION
(Amendment 1004-5)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 3, line 29, delete "(ISTAR-KR)".

Page 5, line 9, after "assessment" insert "**selected by the early learning advisory committee under IC 12-17.2-3.6-9(b).**".

Page 5, delete line 10.

Page 5, delete line 28.

Page 5, line 29, delete "another kindergarten readiness assessment".

Page 7, line 26, delete "If, in a particular".

Page 7, delete lines 27 through 36, begin a new paragraph and insert:

"**(b) An eligible provider shall maintain program quality standards established by the division.**".

(Reference is to HB 1004 as printed January 10, 2014.)

BATTLES

Motion failed.

HOUSE MOTION
(Amendment 1004-9)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 8, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 10. IC 20-32-5-23 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 23. (a) This section applies to the following:**

(1) Public schools, including charter schools.

(2) Nonpublic schools that have voluntarily become accredited under IC 20-19-2-8.

(3) Nonaccredited nonpublic schools that participate in the choice scholarship program under IC 20-51-4.

(b) A school shall administer a measure of readiness selected under IC 12-17.2-3.6-9(b) by the early learning advisory committee established under IC 12-17.2-3.6-8 to each student at the time the student enters kindergarten. The school shall report the results of the administration to the department in the same manner that ISTEP program test results are reported.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as printed January 10, 2014.)

BATTLES

Motion failed.

HOUSE MOTION
(Amendment 1004-8)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 8, delete lines 8 through 42.

Delete pages 9 through 10.

(Reference is to HB 1004 as printed January 10, 2014.)

DELANEY

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 7: yeas 29, nays 62. Motion failed.

HOUSE MOTION
(Amendment 1004-6)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 4, line 16, delete "eighty-five".

Page 4, line 17, delete "(185%)" and insert "(100%)".

Page 4, line 37, delete "eighty-five percent (185%)" and insert "**percent (100%)**".

(Reference is to HB 1004 as printed January 10, 2014.)

ERRINGTON

Motion failed.

HOUSE MOTION
(Amendment 1004-7)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 8, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 10. IC 20-19-3-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 14. (a) Before July 1, 2015, the department, in consultation with the division of family resources established by IC 12-13-1-1 and the early learning advisory committee under IC 12-17.2-3.6-8, shall develop and maintain protocols and guidelines to assist parents, child care providers, and schools work jointly to improve a child's transition from an early learning environment to kindergarten to improve the early learning educational continuum for the child.**

(b) The protocols and guidelines developed by the department under subsection (a) must:

(1) coordinate high quality early learning experiences for children from birth to age eight (8) years of age;

(2) work to align early learning education standards, curricula, assessments, and development standards to provide an improved educational continuum;

(3) enable children to maintain and expand upon the gains made during their early learning experiences; and

(4) improve family engagement and involvement in a child's educational experiences.

(c) The department shall provide information developed and maintained by the department under subsection (a) on the department's Internet web site.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as printed January 10, 2014.)

ERRINGTON

Upon request of Representatives Pelath and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 8: yeas 27, nays 63. Motion failed.

HOUSE MOTION
(Amendment 1004-16)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 8, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 10. IC 20-19-7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

Chapter 7. Indiana Early Learning Blue Ribbon Designation

Sec. 1. As used in this chapter, "child care provider" refers to a:

(1) child care center (as defined in IC 12-7-2-28.4); or

(2) child care ministry (as defined in IC 12-7-2-28.8).

Sec. 2. (a) The department, in consultation with the:

(1) division of family resources established by IC 12-13-1-1;

(2) early learning advisory committee under IC 12-17.2-3.6-9; and

(3) steering council of the paths to QUALITY program established by IC 12-17.2-2-14.2;

shall develop the Indiana early learning blue ribbon designation program.

(b) The Indiana early learning blue ribbon designation program must allow a child care provider to request

voluntarily from the department an assessment for the purpose of evaluating and improving a continuum of early learning to foster the transition of a child from an early learning environment to kindergarten.

(c) The department may designate a child care provider as an Indiana early learning blue ribbon provider if the department determines that the child care provider has established a program that aligns its early learning program in a manner determined by the department that assists a child in the transition from an early learning environment to kindergarten.

(d) The department shall develop rubrics or standards under which the department evaluates a child care provider and awards the Indiana early learning blue ribbon designation to child care providers. The department's evaluation of a child care facility under this subsection must incorporate surveys of teachers, students, and parents. The department shall make the results of a child care provider's evaluation available to the public.

(e) The department shall make available to child care providers the best practices in developing an early learning program to provide a continuum of education that coordinates high quality early learning experiences for children from birth to eight (8) years of age.

(f) The department annually shall assess the quality of a child care provider's Indiana early learning blue ribbon designation. The department shall submit the results of the assessment under this subsection to the state board.

Sec. 3. The department shall adopt rules under IC 4-22-2 to implement this chapter."

Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as printed January 10, 2014.)

ERRINGTON

Motion failed.

HOUSE MOTION
(Amendment 1004-11)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 8, between lines 7 and 8, begin a new paragraph and insert:

"Sec. 17. (a) This section applies to a state fiscal year beginning after June 30, 2015.

(b) The program may be funded only by an appropriation enacted by the general assembly. The amount of state tuition support a school receives under IC 20-43 may not be reduced by an appropriation enacted by the general assembly to fund the program established by this chapter."

(Reference is to HB 1004 as printed January 10, 2014.)

BATTLES

Upon request of Representatives Pelath and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 9: yeas 91, nays 0. Motion prevailed.

HOUSE MOTION
(Amendment 1004-14)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 8, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 10. IC 20-19-3-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 14. (a) Before November 1, 2015, the department, in consultation with the:

(1) division of family resources established by IC 12-13-1-1;

(2) budget agency; and

(3) early learning advisory committee under IC 12-17.2-3.6-8;

shall submit a comprehensive plan to the governor, the budget committee, and the general assembly to ensure that all children in Indiana have access to high quality standardized early education by July 1, 2018. The department shall submit the report to the governor, the budget committee, and the general assembly in an electronic format under IC 5-14-6.

(b) The plan submitted by the department under subsection (a) must include:

(1) recommended legislation necessary to implement the department's plan before July 1, 2018; and

(2) estimated costs associated with the implementation of the plan.

(c) Before July 1, 2016, the budget committee shall review the plan described in subsection (a).

(d) This section expires July 1, 2020."

Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as printed January 10, 2014.)

BATTLES

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 10: yeas 28, nays 63. Motion failed. The bill was ordered engrossed.

House Bill 1032

Representative Torr called down House Bill 1032 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1032-5)

Mr. Speaker: I move that House Bill 1032 be amended to read as follows:

Page 7, line 36, delete "Districts" and insert "**(a) Subject to subsection (b), districts**".

Page 7, between lines 38 and 39, begin a new paragraph and insert:

"(b) Districts must maximize political competitiveness to the extent practicable while considering other provisions of this chapter and the federal Voting Rights Act."

(Reference is to HB 1032 as printed January 10, 2014.)

MOED

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 11: yeas 30, nays 62. Motion failed.

HOUSE MOTION
(Amendment 1032-1)

Mr. Speaker: I move that House Bill 1032 be amended to read as follows:

Page 4, line 26, delete "three (3)" and insert "**five (5)**".

(Reference is to HB 1032 as printed January 10, 2014.)

BATTLES

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 12: yeas 75, nays 17. Motion prevailed.

HOUSE MOTION
(Amendment 1032-10)

Mr. Speaker: I move that House Bill 1032 be amended to read as follows:

Page 6, line 3, delete "of" and insert "**Indiana congressional district, and an additional meeting in Marion County,**".

Page 6, line 4, delete "the following regions of Indiana,".

Page 6, line 4, delete ":" and insert ".".

Page 6, delete lines 5 through 7.

Page 6, between lines 22 and 23 begin a new paragraph and insert:

"(f) The commission shall give public notice of a meeting held under this section not later than ten (10) days before the date of the meeting."

(Reference is to HB 1032 as printed January 10, 2014.)
GIAQUINTA

Motion prevailed.

HOUSE MOTION
(Amendment 1032-8)

Mr. Speaker: I move that House Bill 1032 be amended to read as follows:

Page 3, between lines 41 and 42, begin a new line double block indented and insert:

"(4) Make a written pledge that the individual will not do any of the following until plans are adopted as provided in this article:

- (A) Make a contribution.**
- (B) Attend any function relating to the election of a candidate.**
- (C) Serve as a member of a candidate's committee.**
- (D) Serve as a precinct committeeman or a precinct vice committeeman.**
- (E) Serve as a member of a central committee.**
- (F) Serve as a member of a national committee. (G) Be employed by a political party.**

The definitions in IC 3-5-2 apply throughout this subdivision."

(Reference is to HB 1032 as printed January 10, 2014.)
GIAQUINTA

Motion prevailed.

HOUSE MOTION
(Amendment 1032-9)

Mr. Speaker: I move that House Bill 1032 be amended to read as follows:

Page 4, between lines 33 and 34, begin a new paragraph and insert:

"Sec. 12. (a) The definitions in IC 3-5-2 apply throughout this section.

(b) Subject to subsections (c) and (d), a commission member may not communicate, directly or indirectly, regarding redistricting, with any of the following:

- (1) A member of Congress.**
- (2) A member of the general assembly.**
- (3) An individual who holds any other public office.**
- (4) An individual who has held a public office described in subdivisions (1) through (3).**
- (5) A candidate for a public office described in subdivisions (1) through (3).**
- (6) A member of a candidate's committee.**
- (7) A precinct committeeman or a precinct vice committeeman.**
- (8) A member of a central committee.**
- (9) A member of a national committee.**
- (10) An employee or an agent of a political party.**

(c) Notwithstanding subsection (b), a commission member may communicate regarding redistricting with an individual described in subsection (b):

- (1) In public, at a public meeting held under this article.**

(2) Otherwise as permitted in subsection (d).

(d) If a commission member communicates regarding redistricting with an individual described in subsection (b), the commission member shall do the following:

(1) If the communication is written material, the commission member shall instruct the written material to be placed in the commission's public records not later than five (5) days after the commission member reads the written material.

(2) If the communication is other than written material, the commission member must place a written description of the communication in the commission's public records not later than five (5) days after the communication occurs. The written description must include the following information:

- (A) The name of the individual with whom the communication occurred.**
- (B) The date and approximate time of the communication.**
- (C) A description of the nature of the communication.**

(e) A commission member who violates this section commits gross misconduct in office and is subject to removal from the commission as provided in section 7 of this chapter."

(Reference is to HB 1032 as printed January 10, 2014.)
GIAQUINTA

Motion prevailed. The bill was ordered engrossed.

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1041 and 1057.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that HB 1055 be withdrawn.

MESSMER

Motion prevailed.

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bill 1028 had been referred to the Committee on Ways and Means.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Smaltz, the House adjourned at 6:00 p.m., this Thirteenth day of January, 2014, until Tuesday, January 14, 2014, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives