



Journal of the Senate

State of Indiana

120th General Assembly

First Regular Session

Thirty-ninth Meeting Day

Tuesday Afternoon

April 4, 2017

The Senate convened at 2:16 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Tim Hughes of Cornerstone Christian Church, Brownsburg, Indiana.

The Pledge of Allegiance to the Flag was led by Senator John B. Crane.

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

Alting	Kruse
Bassler	Lanane
Becker	Leising
Bohacek	Long
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buck	Mrvan
Charbonneau	Niemeyer
Crane	Niezgodski
Crider	Perfect
Delph	Raatz
Doriot	Randolph, Lonnie M.
Eckerty	Ruckelshaus
Ford	Sandlin
Freeman	Smith, J.
Glick	Stoops
Grooms	Tallian
Head	Taylor, G.
Hershman	Tomes
Holdman	Walker
Houchin <input type="checkbox"/>	Young, M. <input type="checkbox"/>
Kenley	Zakas
Koch	Zay

Roll Call 359: present 48; excused 2. [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.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 7

House Concurrent Resolution 7, sponsored by Senator Raatz:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename that section of U.S. Highway 27, both north and south, through Lynn, Indiana, as the "Captain Charles Edwin Engle Memorial Mile."

Whereas, Born on February 8, 1945, on a farm in eastern Indiana, Captain Charles Edwin Engle was the first of four children;

Whereas, Captain Engle attended public schools in Lynn, where he was active in sports, was a member of the National Honor Society throughout high school, and served as vice-president of his high school class twice;

Whereas, Captain Engle attended Purdue University, where he majored in physical education and was commissioned in the United States Air Force Reserves under The Reserve Officers' Training Corps (ROTC) program;

Whereas, Captain Engle completed Undergraduate Pilot Training and was awarded his pilot wings at Laughlin Air Force Base, Texas, in May 1969;

Whereas, After completing Forward Air Controller training, Captain Engle was assigned to the 21st Tactical Air Support Squadron (TASS) at Cam Ranh Bay in the Republic of Vietnam in September 1969;

Whereas, Captain Engle served with the 21st TASS until May 1970, when he transferred to the 56th Special Operations Wing at Udorn Royal Thai Air Force Base, Thailand;

Whereas, Captain Engle volunteered for the classified "Raven" (Project 404) program in Laos;

Whereas, Captain Engle arrived in Laos in May 1970, and was assigned to Long Tieng, the headquarters of the legendary Hmong leader, Major General Vang Pao;

Whereas, Fighting was heavy at Long Tieng, and Captain Engle's reputation as a skilled and capable fighter pilot spread quickly throughout the fighter pilot community;

Whereas, On June 20, 1970, while attempting to pinpoint a downed pilot's location, Captain Engle's aircraft encountered gunfire which severed the fuel line, drenching Captain Engle and his aircraft with fuel;

Whereas, During the attempted rescue of the downed pilot, the rescue helicopter received heavy automatic weapons fire;

Whereas, Realizing that the rescue aircraft may be shot down, Captain Engle maneuvered his aircraft between the gun position and the helicopter, allowing the helicopter to escape;

Whereas, Captain Engle was presented with the Air Force Cross (Posthumously), the second-highest decoration for valor, for his bravery under fire;

Whereas, Captain Engle was also presented with the Silver Star as a result of his gallantry during military operations;

Whereas, On January 2 and 3, 1971, Captain Engle flew his aircraft, under adverse weather conditions, through intensive ground fire, continuously making low passes through heavy and accurate anti-aircraft and small arms fire to accurately mark the target of the mission, causing heavy damage against the opposing forces' positions and targets;

Whereas, Captain Engle also received the Distinguished Flying Cross for his bravery and courageous actions on two occasions - October 24, 1970, and August 21, 1970;

Whereas, Captain Engle flew his last mission on February 22, 1971; and

Whereas, Because of his extraordinary heroism, superb airmanship, and aggressiveness in the face of the enemy, Captain Engle deserves special recognition by his fellow Hoosiers: 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 create a lasting monument acknowledging the great bravery and final sacrifice of Captain Charles Edwin Engle in giving his life in service to his nation.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the family of Captain Charles Edwin Engle and the Commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security and Transportation.

House Concurrent Resolution 8

House Concurrent Resolution 8, sponsored by Senator Bassler:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename that part of U.S. Highway 231 from Interstate Highway 69 to the city of Bloomfield the "Donald W. Dean Memorial Highway".

Whereas, Born on April 1, 1922, former Representative Donald W. Dean died on April 3, 2007;

Whereas, The son of Frank C. and Betty Jeanette (Wines) Dean, Donald Dean graduated from Bloomfield High School in 1940;

Whereas, After graduation, Donald Dean enlisted in the United States Army and served for four years, six months, and 26 days as a technical sergeant in Tunisia, Sicily, and Italy during World War II, serving under General George Patton and General Mark Clark;

Whereas, After earning six medal stars for dedicated service to his country, Donald Dean returned to Bloomfield and married Betty Jo Hasler, and together they had a daughter, Nancy, and a son, David;

Whereas, Donald Dean was elected to the Indiana House of Representatives in 1978 where he served for 12 years;

Whereas, While in the Indiana General Assembly, Donald Dean served on the Public Policy Committee, the Roads and Transportation Committee, the County and Townships Committee, and the Natural Resources Committee, and was chairman of the Veterans' Affairs Committee;

Whereas, Donald Dean was instrumental in passing the Grandparents' Visitation Law, initiating the move to red and blue lights on all police vehicles, securing money for erecting the Veterans Bridge over the White River, assisting in expanding State Road 37 to four lanes from Bedford to south of Mitchell, and in overseeing the creation of the circuit and superior courts in Greene County;

Whereas, In addition to his duties with the Indiana House of Representatives, Donald Dean was active in the Greene County Republican Party for many years and was a member of the Bloomfield First Baptist Church, the Bloomfield American Legion Post 196, the Disabled American Veterans, the Bloomfield Masonic Lodge #84 F&AM, the Scottish Rite and Zorah Temple of Terre Haute, the Linton Elks, and the Greene County Shrine, and was a 50 year member of the Bloomfield Lions Club;

Whereas, Donald Dean was a patriotic and civic minded man who loved and served his country with great pride; and

Whereas, It is fitting and proper that special recognition be given to former Representative Donald W. Dean for his many accomplishments and loyal service to his constituents and 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 urges the Indiana Department of Transportation to rename that part of U.S. Highway 231 from Interstate Highway 69 to the city of Bloomfield the "Donald W. Dean Memorial Highway".

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the family of former Representative Donald W. Dean and the commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security and Transportation.

Senate Resolution 51

Senate Resolution 51, introduced by Senator Freeman:

A SENATE RESOLUTION urging the legislative council to assign to the appropriate committee the topic of prohibiting persons convicted of a Level 6 felony from being sent to the Department of Correction.

Whereas, Under current law, persons convicted of a Level 6 felony cannot be sent to the Department of Correction;

Whereas, This practice may lead to overcrowding of local jails and additional costs to local governments; and

Whereas, Additional study of this issue may provide further clarification: Therefore,

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

SECTION 1. That the legislative council is urged to assign to the appropriate committee the topic of prohibiting persons convicted of a Level 6 felony from being sent to the Department of Correction.

The resolution was read in full and referred to the Committee on Judiciary.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs and The Military, to which was referred House Concurrent Resolution 12, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

Committee Vote: Yeas 8, Nays 0.

DELPH, Chair

Report adopted.

SENATE MOTION

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

SR 50 Senator Long
Honoring John Gerni on his retirement.

SR 45 Senator Niemeyer
Honoring Paul Fuller.

HCR 69 Senator Alting
Recognizing the many contributions of WBAA, a National Public Radio station from Purdue University.

HCR 70 Senator Bray
Recognizing Dave Keister on the occasion of his 50th year in the radio industry.

HCR 71 Senator M. Young
Recognizing the Constructing Our Future program.
LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 50

Senate Resolution 50, introduced by Senator Long:

A SENATE RESOLUTION honoring John Gerni on the occasion of his retirement and recognizing his career accomplishments.

Whereas, John Gerni received his Bachelor of Arts degree from Indiana University, where he majored in Telecommunications and minored in Business/Economics and Uralic Studies. He financed his education while working various jobs;

Whereas, From 1985 until 1987, Mr. Gerni served as a Field Representative to United States Senator Dan Quayle, during which time he coordinated an Education Summit targeted to gifted and talented students from each high school in Indiana, in conjunction with the Hudson Institute;

Whereas, In December 1986, Mr. Gerni was promoted to serve as the Regional Director for Northeast Indiana for United States Senators Quayle and Lugar;

Whereas, From 1987 until 1990, Mr. Gerni served as the Vice President of Governmental and Community Affairs on the Fort Wayne Chamber of Commerce, during which time he adamantly pushed for the funding of capital projects for Indiana University-Purdue University at Fort Wayne and staffed a community-wide task force that recommended funding options for Fort Wayne's airport;

Whereas, From 1990 until 2003, Mr. Gerni served as the 2nd Vice President of Legislative and Regulatory management for Lincoln National Corporation in Fort Wayne, Indiana, where he was instrumental in planning for the enactment of changes in Indiana's investment law for life insurers, the reduction of the premium rate for domestic insurers, and working with regulators to promulgate appropriate regulations. He also served as Chairman of both the Political Action Committee and the Legislative Committee for the Association of Indiana Life Insurance Companies;

Whereas, Mr. Gerni admirably served on the American Council of Life Insurers and in the life insurance industry for 27 years, with consummate diplomacy in numerous states including Indiana, Illinois, Michigan, and Wisconsin, where he advocated with distinction and achieved numerous successes;

Whereas, Mr. Gerni represented the industry before a number of organizations, including the National Conference of Insurance Legislators. He defended life insurers and helped to shape a number of industry critical models such as the Life Settlements Model Act and the Unclaimed Life Insurance Benefits Act;

Whereas, Mr. Gerni enjoyed the deep respect and admiration of colleagues and policymakers both at the American Council of Life Insurers and across the industry; and

Whereas, It is fitting that the Indiana Senate honors John Gerni on the occasion of his retirement, recognizes his career accomplishments, and wishes him health and happiness in the years to come: Therefore,

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

SECTION 1. That the Indiana Senate honors John Gerni on the occasion of his retirement, recognizes his career accomplishments, and wishes him health and happiness in the years to come.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to John and Karen Gerni.

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

Senate Concurrent Resolution 45

Senate Concurrent Resolution 45, introduced by Senator Niemeyer:

A CONCURRENT RESOLUTION honoring Paul Fuller for his 51 years of service with the Lowell Volunteer Fire Department.

Whereas, Paul Fuller, a lifelong resident of Lowell, Indiana, became a member of the Lowell Volunteer Fire Department on October 11, 1965, and the department became incorporated in 1971;

Whereas, Mr. Fuller has served honorably as a member of the Lowell Volunteer Fire Department for over fifty years. He served as the Department Assistant Fire Chief in 1969, and he served as President of the Department for twenty years;

Whereas, Mr. Fuller has a great deal of experience in driving fire trucks, and he was a valued Fire Engineer throughout his entire 51 years with the Lowell Volunteer Fire Department;

Whereas, Mr. Fuller has chaired the Department's "Weekly Checkout Program" committee for the past 34 years, and his knowledge of fire trucks and his determination to make many repairs himself have saved Hoosier taxpayers thousands of dollars over the course of many years;

Whereas, Mr. Fuller's training and chairmanship have trained many firefighters on the Department's "Weekly Checkout Program" committee to continue to help with minor repairs, so as to save Hoosier taxpayers the expenses for such repairs;

Whereas, Mr. Fuller is retiring as an Active Member of the Lowell Volunteer Fire Department this year;

Whereas, Mr. Fuller has dedicated 51 years to the Lowell and Tri-Creek Community, and his colleagues at the Lowell Volunteer Fire Department say that his friendship is truly an honor; and

Whereas, It is fitting that the Indiana General Assembly honors Paul Fuller for his 51 years of service with the Lowell Volunteer Fire Department, thanks him for his steadfast dedication to his community, and wishes him health and happiness in the years to come: Therefore,

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

SECTION 1. That the Indiana General Assembly honors Paul Fuller for his 51 years of service with the Lowell Volunteer Fire Department, thanks him for his steadfast dedication to his community, and wishes him health and happiness in the years to come.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Paul Fuller.

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

House Concurrent Resolution 69

House Concurrent Resolution 69, sponsored by Senator Altling:

A CONCURRENT RESOLUTION recognizing the many contributions of WBAA, a National Public Radio station from Purdue University.

Whereas, WBAA, a Purdue University National Public Radio station, provides essential public services to a significant portion of North and Central Indiana including Greater Lafayette;

Whereas, WBAA is an invaluable component of Greater Lafayette's priority missions in public safety, emergency services, information dissemination, community education, cultural vitality, and entertainment;

Whereas, WBAA contributes to the local economy by actively engaging in economic development, supporting local businesses, and directly providing employment and volunteer opportunities;

Whereas, WBAA is operated by local professionals who are accountable to local leaders and listeners;

Whereas, WBAA prioritizes its capability to provide emergency, crisis, and disaster communication services that are crucial to public safety officials and the community in times of crisis;

Whereas, WBAA delivers its support for nonprofit, charitable, public service projects and events in the community throughout the year;

Whereas, WBAA provides local citizens of all ages and from all walks of life significant benefit from the wide array of noncommercial programming and services that encourage lifelong learning;

Whereas, WBAA is deeply rooted in the local community and continuously strives to be an effective, positive, and productive organization that citizens can count on at all times; and

Whereas, WBAA was licensed to operate on April 4, 1922, making it the oldest continuously operating radio station in 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 recognizes WBAA for its 95 years of service to the community, its outstanding programming and services, and the indispensable role and position the station has in Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the administration of WBAA Radio.

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

House Concurrent Resolution 70

House Concurrent Resolution 70, sponsored by Senator Bray:

A CONCURRENT RESOLUTION recognizing Dave Keister on the occasion of his 50th year in the radio industry.

Whereas, Dave Keister, who started the first and only radio service in Martinsville, Indiana, on April 18, 1967, is celebrating 50 years in business this year. The station became a success, as well as a friend of the community; Dave Keister, as president of

Mid-America Radio Group, currently owns 10 stations in Martinsville, Bloomington, and Logansport;

Whereas, Dave Keister has also owned stations in Kokomo, Marion, Richmond, and Connersville, along with stations in Illinois and Ohio. Dave Keister has owned more radio stations in Indiana than any other individual or corporation;

Whereas, In 2012, the Indiana Broadcasters Association inducted Dave Keister into the Pioneer Hall of Fame for his 50 plus years of service and presented him with the Lifetime Achievement Award, which is the highest and most prestigious award given by the Indiana Broadcasters Association;

Whereas, The Mid-America Radio Group corporate headquarters is located in Martinsville, the community Dave loves and cares about. At one time, Mid-America Radio Group employed more than 100 people throughout the state of Indiana and Dave Keister is sought after by broadcasters all across the country for his knowledge and insight into the radio business;

Whereas, Dave Keister has always led all of his radio stations into community service because he believes the success of the radio station depends on the success of the community. Dave has served on the boards of the Martinsville Chamber of Commerce, the Morgan County Fall Foliage Festival, Eastview Christian Church, the Morgan County Community Foundation, and the Barbara B. Jordan YMCA; and

Whereas, Dave Keister has received many awards and honors, including Sagamore of the Wabash, Sertoma Service to Mankind, Greater Martinsville Chamber of Commerce Businessman of the Year, Distinguished Hoosier Award from State Representative Ralph Foley, American Cancer Society, Rotary Four-Way Test Award, Community Foundation Millennium Society Charter Member, State of Indiana 40th Anniversary Award, Morgan County Fair Friend of the Fair, United Way of Central Indiana Community Partner Award, Civil Air Patrol Certificate of Appreciation, Reader's Choice Award, Habitat for Humanity of Morgan County Community Service Award, Mothers Against Drunk Driving Central Indiana Chapter Public Awareness Award, and grand marshal of the 2007 Fall Foliage Festival parade: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the many accomplishments of Dave Keister and his many contributions to the communities his radio stations have served.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Dave Keister and his family.

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

House Concurrent Resolution 71

House Concurrent Resolution 71, sponsored by Senator M. Young:

A CONCURRENT RESOLUTION recognizing the Constructing Our Future program.

Whereas, Constructing Our Future (COF) is a program conceived and developed by women enrolled in a public policy class at the Indiana Women's Prison;

Whereas, Constructing Our Future provides a pathway for current and formerly incarcerated people to be reintegrated back into society with basic skills to build, repair, and revitalize abandoned homes and neighborhoods;

Whereas, Constructing Our Future participants value sobriety, honest communication, and learning new skills to manage their lives, which once may have become unmanageable;

Whereas, The program helps current and formerly incarcerated people to be independent, law-abiding citizens who give back to our communities, and in the process helps reduce recidivism and rebuild communities one house, one project, one neighborhood at a time; and

Whereas, One of the key components of the Constructing Our Future program is that participants must accumulate an estimated total of 5,000 participation and service hours in order to obtain their own homes: 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 benefits of the Constructing Our Future program that provides a pathway for current and formerly incarcerated people to be reintegrated back into society.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the commissioner of the Indiana Department of Correction.

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 resolution be adopted:

HCR 75 Senator Perfect
Honoring the United States Naval Sea Cadet Corps.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 75

House Concurrent Resolution 75, sponsored by Senator Perfect:

A CONCURRENT RESOLUTION honoring the United States Naval Sea Cadet Corps.

Whereas, The United States Naval Sea Cadet Corps (USNSCC) is a youth development program for young people 10 years of age through completion of high school;

Whereas, At the request of the Department of the Navy, the Navy League of the United States established the USNSCC in 1962 to "create a favorable image of the Navy on the part of American youth";

Whereas, The focus of the USNSCC is on teaching cadets leadership through the core principles of the Navy - honor, courage, and commitment;

Whereas, The United States Naval Sea Cadet Corps adheres to a standardized training program designed to develop an interest and ability in seamanship and seagoing skills, instill virtues of good citizenship and strong moral principles, demonstrate the value of an alcohol free, drug free, and gang free lifestyle, and expose cadets to the prestige of public service and a variety of career paths through hands-on training with our nation's armed services;

Whereas, In order to qualify to be a United States Naval Sea Cadet, participants must be drug, alcohol, and gang free while attending school full time, maintaining at least a C average, attending at least 75 percent of all drills, completing their course work, and attending training;

Whereas, Each cadet enters the USNSCC as a recruit and is promoted through the ranks as seaman apprentice, seaman, petty officer third class, petty officer second class, petty officer first class, and chief;

Whereas, After enrolling in the Naval Sea Cadet Corps, all cadets must attend a mandatory two-week recruit training session at the Navy's Recruit Training Command, at other naval bases or stations, or at regional recruit training sites;

Whereas, After successfully completing recruit training, cadets may choose from a wide variety of advanced training

opportunities, including Petty Officer Leadership Academy, Basic or Advanced Underwater Scuba, the United States Naval Academy's Summer Seminar, and the United States Coast Guard Academy Introduction Mission (AIM);

Whereas, The Flying Tigers Squadron, with members in Milan, Moores Hill, Osgood, Versailles, Greensburg, Batesville, and Lawrenceburg, have performed more than 1,600 hours of community service in their local areas, including working in a soup kitchen, serving at a pancake breakfast, helping the American Legion with its still board shoots, and donating a weekend to the National Rifle Association convention; and

Whereas, From the first unit of 78 men to over 380 units today with approximately 9,000 young men and women, the United States Naval Sea Cadet Corps continues to grow and help young men and women reach their full potential: Therefore,

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

SECTION 1. That the Indiana General Assembly acknowledges the outstanding work of the United States Naval Sea Cadet Corps.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the Secretary of the Navy.

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 Resolution 49

Senate Resolution 49, introduced by Senators Crider, Sandlin, Freeman and Ruckelshaus:

A SENATE RESOLUTION congratulating the Pleasant Run Elementary School "Panther Bots" robotics team on winning the regional challenge.

Whereas, On February 2, 2017, the Pleasant Run Elementary School "Panther Bots" robotics team won the robotics challenge at Plainfield High School;

Whereas, Nearly 35 schools competed in this robotics challenge, and the participating elementary school teams came from more than 20 communities around Indianapolis;

Whereas, The regional champion Pleasant Run Elementary School Panther Bots team consists of fourth graders Elijah Goodwin, Angel Herrera-Sanchez, Jose Verastegui, Manuel Mendez, and Devilyn Bolyard;

Whereas, These five students were selected by their teachers

to represent Pleasant Run Elementary School in its first robotics competition because they exhibited potential, integrity, and leadership qualities in the classroom;

Whereas, The Panther Bots entered the regional robotics challenge as the rookies, and they left as the victors;

Whereas, On February 2, 2017, the Pleasant Run Panther Bots won the entire regional championship and were one step closer to the Vex IQ State Championship;

Whereas, Not only did they win the regional challenge on February 2, but three weeks later, the Panther Bots won the Create Award for best robot design and engineering at the state championship, which qualified them for the Vex IQ World Championship in Louisville, Kentucky, where they will compete with students from all over the world; and

Whereas, It is fitting that the Indiana General Assembly congratulates the Pleasant Run Elementary School Panther Bots robotics team on winning the regional challenge: Therefore,

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

SECTION 1. That the Indiana Senate congratulates the Pleasant Run Elementary School Panther Bots robotics team on winning the regional robotics challenge.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Elijah Goodwin, Angel Herrera-Sanchez, Jose Verastegui, Manuel Mendez, Devilyn Bolyard, Lisa Hopper, and Nicole Oliver.

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

House Concurrent Resolution 74

House Concurrent Resolution 74, sponsored by Senator Kenley:

A CONCURRENT RESOLUTION honoring the accomplishments of John Grew.

Whereas, John Grew, Indiana University executive director, state relations and policy analysis, has been a valued public servant of the State of Indiana since 1990;

Whereas, John Grew, a New Jersey native, came to Indiana to attend Indiana University in 1972 and graduated with a bachelor of science in public affairs in 1976;

Whereas, John Grew had a successful career in public transportation, working as the manager of ATE Management and Service Co., Inc., from 1976 until 1988 in Cincinnati, Ohio; Mobile, Alabama; Missoula, Montana; and South Bend, Indiana;

Whereas, After leaving ATE Management and Service Co., John Grew worked as a group operations manager of North American Van Lines in Fort Wayne, Indiana, from 1988 until 1990;

Whereas, John Grew began his public service with the State of Indiana in 1990 when he came to work as the senior fiscal analyst for the Democratic caucus of the Indiana house of representatives, serving in this capacity until 1999, playing an important role in crafting five state budgets and examining state tax policies;

Whereas, During his time at the Indiana General Assembly, John Grew helped to create the new school funding formula, enacted in 1993, which resulted in the dropping of a school funding equity lawsuit. During this time, John Grew collaborated with other fiscal staff members on many school finance issues, leading to legislation on Prime Time, the At-Risk program, and vocational education;

Whereas, After leaving the Indiana house of representatives, John Grew went to work as an executive assistant for fiscal policy and higher education for the office of Indiana Governor Frank O'Bannon, where he worked on a variety of issues relating to higher education policy and K-12 education finance;

Whereas, During his time on the governor's staff, John Grew served as the lead staff member for tax restricting legislation that was enacted in 2002, worked with Stan Jones and the Indiana commission for higher education on the establishment of Indiana's first community college system, and worked with staff in the governor's office and the budget agency to help develop the plan for use of the tobacco settlement fund dollars;

Whereas, John Grew began work at Indiana University in 2002, first serving as the managing director of financial analysis and operations for the office of the vice president and chief financial officer, where he was responsible for the day-to-day operations and coordination of the office of the vice president and chief financial officer and served as assistant and adviser in implementing university programs, initiatives, and special projects;

Whereas, In 2007 John Grew began his role as the executive director, state relations and policy analysis, where he has been an integral member of the Indiana University state relations team, working with the Indiana General Assembly, the Indiana commission for higher education, the budget agency, as well as other state agencies to secure state funding for Indiana University in five biennial budgets;

Whereas, John Grew's fiscal expertise has been recognized and valued by the state and, during both Democratic and Republican administrations, he was appointed jointly by the

speaker of the house of representatives and the president pro tempore to serve as an adviser to the Indiana state revenue forecast technical committee, which produces state revenue forecasts;

Whereas, John Grew, along with Bill Sheldrake, was appointed by the speaker of the house of representatives and the president pro tempore of the senate to perform a review of the K-12 A-F accountability system and produced a report in 2012; and

Whereas, John Grew, who has been an exceptional colleague, mentor, and friend to many, will retire from full-time work in June 2017, having served the State of Indiana for 27 years; his positive contributions to the State of Indiana are recognized and greatly appreciated: 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 John Grew's accomplishments and contributions to the State of Indiana and wishes him a happy retirement.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to John Grew and his family.

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.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 7, 8 and 73 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 2 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 passed, with amendments, Engrossed Senate Bills 59, 61, 112, 129, 182, 231, 283, 355, 455, 497, 499 and 505 and the same are herewith returned to the Senate for concurrence.

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, without amendments, Engrossed Senate Bills 175 and 222 and the same are 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 passed House Concurrent Resolutions 74 and 75 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

**REPORT OF THE PRESIDENT
PRO TEMPORE**

Madam President: I hereby report that Senator Ford has been excused from voting on Engrossed House Bill 1013 pursuant to the Report of the Committee on Ethics adopted on April 3, 2017.

LONG, Chair

Report adopted.

**REPORT OF THE SENATE
COMMITTEE ON ETHICS**

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on April 4, 2017, to render an advisory opinion with regard to Senator Crider's request that the Committee consider whether or not he has a conflict of interest pertaining to EHB 1537 which would require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Eckerty, Senator Walker, Senator Lanane and Senator Breaux.

The Senate Committee on Ethics has considered the facts presented by Senator Crider and hereby recommends that Senator Crider be excused from participation in all votes pertaining to Engrossed House Bill 1537 at any stage in the legislative process because of his potential conflict of interest with regard to the legislation. The vote of the Committee was 5-0.

L. BROWN, Chair

Report adopted.

**REPORT OF THE SENATE
COMMITTEE ON ETHICS**

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on April 3, 2017, to render an advisory opinion with regard to Senator Boots' request that the Committee consider whether or not he has a conflict of interest pertaining to

EHB 1002 which would require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Walker, Senator Breaux and Senator Lonnie M. Randolph.

The Senate Committee on Ethics has considered the facts presented by Senator Boots and hereby recommends that Senator Boots be excused from participation in all votes pertaining to Engrossed House Bill 1002 at any stage in the legislative process because of his potential conflict of interest with regard to the legislation. The vote of the Committee was 4-0.

L. BROWN, Chair

Report adopted.

**ENGROSSED HOUSE BILLS
ON SECOND READING**

Engrossed House Bill 1043

Senator Hershman called up Engrossed House Bill 1043 for second reading. The bill was read a second time by title.

**SENATE MOTION
(Amendment 1043-1)**

Madam President: I move that Engrossed House Bill 1043 be amended to read as follows:

Page 2, line 12, delete "an amount (as" and insert "**five million dollars (\$5,000,000)**".

Page 2, delete lines 13 through 18.

Page 2, line 29, delete "thresholds" and insert "**threshold**".

Page 2, line 29, delete "items (ii) and (iii)" and insert "**item (iii)**".

Page 4, line 13, delete "an amount (as" and insert "**fifteen million dollars (\$15,000,000)**".

Page 4, delete lines 14 through 19.

Page 4, line 30, delete "thresholds" and insert "**threshold**".

Page 4, line 30, delete "items (ii) and (iii)" and insert "**item (iii)**".

Page 5, line 5, delete "(as determined by the" and insert "**is fifteen million dollars (\$15,000,000)**".

Page 5, delete lines 6 through 10.

Page 5, line 11, delete "2018".

Page 15, line 39, delete "(as" and insert "**is fifteen million dollars (\$15,000,000)**".

Page 15, delete lines 40 through 41.

Page 16, delete lines 1 through 3.

Page 16, line 4, delete "2009 and through 2018".

Page 16, line 27, delete "(as" and insert "**is fifteen million dollars (\$15,000,000)**".

Page 16, delete lines 28 through 32.

Page 16, line 33, delete "2009 and through 2018".

(Reference is to EHB 1043 as printed March 28, 2017.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1071

Senator Messmer called up Engrossed House Bill 1071 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1085

Senator Hershman called up Engrossed House Bill 1085 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1130

Senator Hershman called up Engrossed House Bill 1130 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1130-3)

Madam President: I move that Engrossed House Bill 1130 be amended to read as follows:

Page 2, line 16, after "opinions," insert "**advertising content**,".

Page 2, line 24, delete "lewd, vulgar, or" and insert "**gratuitously**".

Page 2, delete line 25.

Page 2, line 26, delete "(4)" and insert "(3)".

Page 2, line 27, delete "(5)" and insert "(4)".

Page 3, line 10, delete "final".

Page 4, line 5, delete "or" and insert "**and**".

Page 4, line 6, delete "prepared under the direction of a student media adviser." and insert "**intended to be disseminated outside of the classroom**".

Page 5, line 41, delete "IC 34-30-2-86.2" and insert "IC 34-30-2-86.3".

Page 6, line 1, delete "86.2." and insert "**86.3**".

(Reference is to EHB 1130 as printed March 24, 2017.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1137

Senator Bray called up Engrossed House Bill 1137 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1137-3)

Madam President: I move that Engrossed House Bill 1137 be amended to read as follows:

Page 2, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 2. IC 34-45-4 IS REPEALED [EFFECTIVE JULY 1, 2017]. (Impeachment of Witnesses).

SECTION 3. IC 35-31.5-2-121.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2017]: **Sec. 121.5. "Evidence based risk assessment", for purposes of**

IC 35-33-8, has the meaning set forth in IC 35-33-8-0.5.

SECTION 4. IC 35-31.5-2-168.9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2017]: **Sec. 168.9. "Indiana pretrial risk assessment system", for purposes of IC 35-33-8, has the meaning set forth in IC 35-33-8-0.5.**

SECTION 5. IC 35-33-8-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2017]: **Sec. 0.5. (a) The following definitions apply throughout this chapter:**

(1) "Evidence based risk assessment" means an assessment:

(A) that identifies factors relevant to determine whether an arrestee is likely to:

(i) commit a new criminal offense; or

(ii) fail to appear;

if released on bail or pretrial supervision; and

(B) that is based on empirical data derived through validated criminal justice scientific research.

(2) "Indiana pretrial risk assessment system" means the statewide evidence based risk assessment system described in subsection (b).

(b) Before January 1, 2020, the supreme court should adopt rules to establish a statewide evidence based risk assessment system to assist courts in selecting the appropriate level of bail or other pretrial supervision for arrestees eligible for pretrial release. The system must consist of:

(1) an evidence based risk assessment tool; and

(2) other rules as adopted by the supreme court.

(c) The Indiana pretrial risk assessment system shall be designed to assist the courts in assessing an arrestee's likelihood of:

(1) committing a new criminal offense; or

(2) failing to appear.

SECTION 6. IC 35-33-8-3.2, AS AMENDED BY P.L.35-2012, SECTION 107, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3.2. (a) After considering the results of the Indiana pretrial risk assessment system (if available), other relevant factors, and bail guidelines described in section 3.8 of this chapter, a court may admit a defendant to bail and impose any of the following conditions to assure the defendant's appearance at any stage of the legal proceedings, or, upon a showing of clear and convincing evidence that the defendant poses a risk of physical danger to another person or the community, to assure the public's physical safety:**

(1) Require the defendant to:

(A) execute a bail bond with sufficient solvent sureties;
(B) deposit cash or securities in an amount equal to the bail;

(C) execute a bond secured by real estate in the county, where thirty-three hundredths (0.33) of the true tax value less encumbrances is at least equal to the amount of the bail;

- (D) post a real estate bond; or
- (E) perform any combination of the requirements described in clauses (A) through (D).

If the court requires the defendant to deposit cash or cash and another form of security as bail, the court may require the defendant and each person who makes the deposit on behalf of the defendant to execute an agreement that allows the court to retain all or a part of the cash to pay publicly paid costs of representation and fines, costs, fees, and restitution that the court may order the defendant to pay if the defendant is convicted. The defendant must also pay the fee required by subsection (d).

- (2) Require the defendant to execute:
 - (A) a bail bond by depositing cash or securities with the clerk of the court in an amount not less than ten percent (10%) of the bail; and
 - (B) an agreement that allows the court to retain all or a part of the cash or securities to pay fines, costs, fees, and restitution that the court may order the defendant to pay if the defendant is convicted.

A portion of the deposit, not to exceed ten percent (10%) of the monetary value of the deposit or fifty dollars (\$50), whichever is the lesser amount, may be retained as an administrative fee. The clerk shall also retain from the deposit under this subdivision fines, costs, fees, and restitution as ordered by the court, publicly paid costs of representation that shall be disposed of in accordance with subsection (b), and the fee required by subsection (d). In the event of the posting of a real estate bond, the bond shall be used only to insure the presence of the defendant at any stage of the legal proceedings, but shall not be foreclosed for the payment of fines, costs, fees, or restitution. The individual posting bail for the defendant or the defendant admitted to bail under this subdivision must be notified by the sheriff, court, or clerk that the defendant's deposit may be forfeited under section 7 of this chapter or retained under subsection (b).

- (3) Impose reasonable restrictions on the activities, movements, associations, and residence of the defendant during the period of release.
- (4) Except as provided in section 3.6 of this chapter, require the defendant to refrain from any direct or indirect contact with an individual and, if the defendant has been charged with an offense under IC 35-46-3, any animal belonging to the individual, including if the defendant has not been released from lawful detention.
- (5) Place the defendant under the reasonable supervision of a probation officer, pretrial services agency, or other appropriate public official. If the court places the defendant under the supervision of a probation officer or pretrial services agency, the court shall determine whether the defendant must pay the pretrial services fee under section 3.3 of this chapter.
- (6) Release the defendant into the care of a qualified person

or organization responsible for supervising the defendant and assisting the defendant in appearing in court. The supervisor shall maintain reasonable contact with the defendant in order to assist the defendant in making arrangements to appear in court and, where appropriate, shall accompany the defendant to court. The supervisor need not be financially responsible for the defendant.

- (7) Release the defendant on personal recognizance unless:
 - (A) the state presents evidence relevant to a risk by the defendant:
 - (i) of nonappearance; or
 - (ii) to the physical safety of the public; and
 - (B) the court finds by a preponderance of the evidence that the risk exists.
- (8) Require a defendant charged with an offense under IC 35-46-3 to refrain from owning, harboring, or training an animal.
- (9) Impose any other reasonable restrictions designed to assure the defendant's presence in court or the physical safety of another person or the community.

(b) Within thirty (30) days after disposition of the charges against the defendant, the court that admitted the defendant to bail shall order the clerk to remit the amount of the deposit remaining under subsection (a)(2) to the defendant. The portion of the deposit that is not remitted to the defendant shall be deposited by the clerk in the supplemental public defender services fund established under IC 33-40-3.

(c) For purposes of subsection (b), "disposition" occurs when the indictment or information is dismissed or the defendant is acquitted or convicted of the charges.

(d) Except as provided in subsection (e), the clerk of the court shall:

- (1) collect a fee of five dollars (\$5) from each bond or deposit required under subsection (a)(1); and
- (2) retain a fee of five dollars (\$5) from each deposit under subsection (a)(2).

The clerk of the court shall semiannually remit the fees collected under this subsection to the board of trustees of the Indiana public retirement system for deposit in the special death benefit fund. The fee required by subdivision (2) is in addition to the administrative fee retained under subsection (a)(2).

(e) With the approval of the clerk of the court, the county sheriff may collect the bail posted under this section. The county sheriff shall remit the bail to the clerk of the court by the following business day and remit monthly the five dollar (\$5) special death benefit fee to the county auditor.

(f) When a court imposes a condition of bail described in subsection (a)(4):

- (1) the clerk of the court shall comply with IC 5-2-9; and
- (2) the prosecuting attorney shall file a confidential form prescribed or approved by the division of state court administration with the clerk.

SECTION 7. IC 35-33-8-3.5, AS ADDED BY P.L.74-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2017]: Sec. 3.5. (a) This section applies only to a sexually violent predator defendant.

(b) As used in this section, "sexually violent predator defendant" means a person who:

- (1) is a sexually violent predator under IC 35-38-1-7.5; and
- (2) is arrested for or charged with the commission of an offense that would classify the person as a sex or violent offender (as defined in IC 11-8-8-5).

(c) A court may not admit a:

- (1) sexually violent predator defendant;
- (2) person charged with child molesting (IC 35-42-4-3); or
- (3) person charged with child solicitation (IC 35-42-4-6);

to bail until the court has conducted a bail hearing in open court. Except as provided in section 6 of this chapter, the court shall conduct a bail hearing not later than forty-eight (48) hours after the person has been arrested, unless exigent circumstances prevent holding the hearing within forty-eight (48) hours.

(d) At the conclusion of the hearing described in subsection (c) **and after consideration of the bail guidelines described in section 3.8 of this chapter**, the court shall consider whether the factors described in ~~IC 35-33-8-4~~ **section 4 of this chapter** warrant the imposition of a bail amount that exceeds court or county guidelines, if applicable.

SECTION 8. IC 35-33-8-3.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3.8. (a) A court shall consider the results of the Indiana pretrial risk assessment system (if available) before setting or modifying bail for an arrestee.**

(b) If the court finds, based on the results of the Indiana pretrial risk assessment system (if available) and other relevant factors, that an arrestee does not present a substantial risk of flight or danger to the arrestee or others, the court shall consider releasing the arrestee without money bail or surety, subject to restrictions and conditions as determined by the court, unless one (1) or more of the following apply:

- (1) The arrestee is charged with murder or treason.**
- (2) The arrestee is on pretrial release not related to the incident that is the basis for the present arrest.**
- (3) The arrestee is on probation, parole, or other community supervision.**

The court is not required to administer an assessment before releasing an arrestee if administering the assessment will delay the arrestee's release.

SECTION 9. IC 35-33-8-3.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3.9. (a) If the court determines that an arrestee is to be held subject to money bail, the court is authorized to determine the amount of bail and whether the bail may be satisfied by surety bond or cash deposit.**

(b) The court may set and accept a partial cash payment of the bail upon conditions set by the court, including the arrestee's agreement (and the agreement of a person who

makes a cash payment on behalf of an arrestee, if applicable) that all court costs, fees, and expenses associated with the proceeding shall be paid from the partial payment.

(c) If the court authorizes the acceptance of a cash partial payment to satisfy bail, the court shall first secure the arrestee's agreement (and the agreement of a person who makes a cash payment on behalf of an arrestee, if applicable) that, in the event of failure to appear as scheduled, the deposit shall be forfeited and the arrestee must also pay any additional amounts needed to satisfy the full amount of bail plus associated court costs, fees, and expenses.

SECTION 10. IC 35-33-8-4, AS AMENDED BY P.L.171-2011, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) The court shall order the amount in which a person charged by an indictment or information is to be held to bail, and the clerk shall enter the order on the order book and indorse the amount on each warrant when issued. If no order fixing the amount of bail has been made, the sheriff shall present the warrant to the judge of an appropriate court of criminal jurisdiction, and the judge shall indorse on the warrant the amount of bail.

(b) Bail may not be set higher than that amount reasonably required to assure the defendant's appearance in court or to assure the physical safety of another person or the community if the court finds by clear and convincing evidence that the defendant poses a risk to the physical safety of another person or the community. In setting and accepting an amount of bail, the judicial officer shall **consider the bail guidelines described in section 3.8 of this chapter** and take into account all facts relevant to the risk of nonappearance, including:

- (1) the length and character of the defendant's residence in the community;
- (2) the defendant's employment status and history and ~~his~~ **the defendant's** ability to give bail;
- (3) the defendant's family ties and relationships;
- (4) the defendant's character, reputation, habits, and mental condition;
- (5) the defendant's criminal or juvenile record, insofar as it demonstrates instability and a disdain for the court's authority to bring ~~him~~ **the defendant** to trial;
- (6) the defendant's previous record in not responding to court appearances when required or with respect to flight to avoid criminal prosecution;
- (7) the nature and gravity of the offense and the potential penalty faced, insofar as these factors are relevant to the risk of nonappearance;
- (8) the source of funds or property to be used to post bail or to pay a premium, insofar as it affects the risk of nonappearance;
- (9) that the defendant is a foreign national who is unlawfully present in the United States under federal immigration law; and
- (10) any other factors, including any evidence of instability and a disdain for authority, which might indicate that the defendant might not recognize and adhere to the authority

of the court to bring ~~him~~ **the defendant** to trial.

SECTION 11. IC 35-33-8-4.5, AS ADDED BY P.L.171-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4.5. (a) If bail is set for a defendant who is a foreign national who is unlawfully present in the United States under federal immigration law, ~~the defendant may be released from custody only by posting a:~~ **after considering the results of the Indiana pretrial risk assessment system (if available) and other relevant factors, and the bail guidelines described in section 3.8 of this chapter, the court shall consider requiring as bail a:**

- (1) cash bond in an amount equal to the bail;
- (2) real estate bond in which the net equity in the real estate is at least two (2) times the amount of the bail; or
- (3) surety bond in the full amount of the bail that is written by a licensed and appointed agent of an insurer (as defined in IC 27-10-1-7).

(b) If the defendant for whom bail has been posted under this section does not appear before the court as ordered because the defendant has been:

- (1) taken into custody or deported by a federal agency; or
- (2) arrested and incarcerated for another offense;

the bond posted under this section may not be declared forfeited by the court and the insurer (as defined in IC 27-10-1-7) that issued the bond is released from any liability regarding the defendant's failure to appear."

Page 3, after line 9, begin a new paragraph and insert:

"SECTION 13. IC 35-33-9-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 0.5. The Indiana pretrial risk assessment system and the bail guidelines described in IC 35-33-8-3.8 do not apply to bail on appeal.**"

Renumber all SECTIONS consecutively.

(Reference is to EHB 1137 as printed March 28, 2017.)

BRAY

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1144

Senator Niemeyer called up Engrossed House Bill 1144 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 1144-1)

Madam President: I move that Engrossed House Bill 1144 be amended to read as follows:

Page 15, line 40, after "both." begin a new line block indented and insert:

"(6)".

Page 15, line 41, delete "municipality" and insert "**political subdivision**".

Page 15, line 42, after "distributed" insert "**by the county auditor**".

Page 15, line 42, delete "municipality's" and insert "**political**

subdivision's".

Page 16, line 1, delete "(6)" and insert "(7)".

Page 16, line 18, delete "and the municipality's" and insert "or".

Page 16, line 19, after "commission" insert "**or both, in the case of a district located in an associate member county,**".

Page 17, line 27, delete "up to" and insert "**to be more than**".

Page 18, line 7, after "revenue" insert "**by the development authority, or a redevelopment commission in the case of a district located in a cash participant county,**".

Page 19, line 8, after "districts" insert "**located in a member county**".

Page 19, line 10, after "municipality" insert "**located in a member county**".

Page 19, line 20, delete "the" and insert "**each**".

Page 19, line 24, delete "the" and insert "**each**".

Page 19, line 25, after "20." insert "**(a)**".

Page 19, line 25, after "established" insert "**in a member county**".

Page 19, between lines 37 and 38, begin a new paragraph and insert:

"(b) If a district is established in a cash participant county, the redevelopment commission having territory in the district shall create a south shore improvement and development fund. The fund shall be administered by the redevelopment commission. The redevelopment commission shall deposit in the fund all amounts received under this chapter from the following:

(1) Distributions of district local income tax increment revenue from the state.

(2) Distributions of district property tax increment revenue from the county auditor."

Page 19, line 38, beginning with "The local income", begin a new paragraph and insert:

"(c)".

Page 19, line 39, after "authority" insert "**or redevelopment commission**".

Page 19, line 40, after "authority" insert "**or redevelopment commission**".

Page 20, line 7, after "authority" insert "**or redevelopment commission**".

Page 20, between lines 9 and 10, begin a new line blocked left and insert:

"In the case of a district that is established in a cash participant county, the county auditor shall distribute any excess district property tax revenue increment to the political subdivisions that would otherwise receive the revenue under IC 36-7-14 as if the increment were attributable to the base assessed value of the allocation area within the district."

Page 20, line 10, after "district" insert "**established in a member county**".

Page 20, line 24, after "authority" insert "**or redevelopment commission, in the case of a district located in a cash participant county,**".

Page 20, line 31, after "established" insert "**in a member county**".

Page 20, line 32, after "authority" insert "**or redevelopment commission**".

Page 20, line 35, after "authority" insert "**or redevelopment commission**".

Page 20, line 41, after "authority" insert "**or redevelopment commission**".

Page 21, line 2, after "authority" insert "**or redevelopment commission**".

Page 21, line 5, after "authority" insert "**or redevelopment commission**".

Page 21, line 5, delete "in the" insert "**in its**".

Page 21, line 32, delete "in the" insert "**in its**".

Page 21, line 34, after "authority" insert "**or redevelopment commission**".

Page 21, line 35, after "authority's" insert "**or redevelopment commission's**".

Page 22, line 1, after "authority" insert "**or redevelopment commission, in the case of a district located in a cash participant county,**".

Page 22, line 8, after "authority" insert "**and redevelopment commission**".

Page 23, line 21, after "authority" insert "**or redevelopment commission**".

Page 24, line 11, after "authority" insert "**or redevelopment commission, in the case of a district located in a cash participant county,**".

Page 24, line 14, after "authority" insert "**or redevelopment commission**".

Page 24, line 17, after "authority" insert "**or redevelopment commission**".

Page 24, line 35, after "project" insert "**in a district established in a member county**".

Page 25, line 5, after "authority" insert "**or redevelopment commission**".

(Reference is to EHB 1144 as printed March 31, 2017.)

TALLIAN

Motion prevailed.

SENATE MOTION
(Amendment 1144-2)

Madam President: I move that Engrossed House Bill 1144 be amended to read as follows:

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

"SECTION 5. IC 36-7.5-2-7, AS ADDED BY P.L.214-2005, SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. The development board may adopt the bylaws and rules that the development board considers necessary for the proper conduct of the development board's duties and the safeguarding of the development authority's funds and property. **The development board shall**

include in its rules a statement that recognizes that a member of the development board is a public servant subject to IC 35-44.1-1-4 concerning conflict of interest."

Renumber all SECTIONS consecutively.
(Reference is to EHB 1144 as printed March 31, 2017.)

TALLIAN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1218

Senator Head called up Engrossed House Bill 1218 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1218-1)

Madam President: I move that Engrossed House Bill 1218 be amended to read as follows:

Page 9, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 8. IC 31-39-8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. **(a)** Any person may petition a juvenile court at any time to remove from:

- (1) the court's files;
- (2) the files of law enforcement agencies; and
- (3) the files of any other person who has provided services to a child under a court order;

those records pertaining to the person's involvement in juvenile court proceedings.

(b) Under this section, electronic records shall be removed to a secure data base to which the public or another person not having legal or statutory authority to access the records is not granted access to the data base."

Page 10, line 35, delete "The" and insert "**(a) Subject to subsections (b) and (c), the**".

Page 10, between lines 37 and 38, begin a new paragraph and insert:

"(b) Data from the records in subsection (a) shall be maintained by the court on a secure data base that does not enable identification of the offender to the public or another person not having legal or statutory authority to access the records.

(c) The records maintained in the data base under subsection (b) may be used only for statistical analysis, research, and financial auditing purposes."

Renumber all SECTIONS consecutively.
(Reference is to EHB 1218 as printed March 31, 2017.)

HEAD

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1337

Senator Charbonneau called up Engrossed House Bill 1337 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1337-1)

Madam President: I move that Engrossed House Bill 1337 be amended to read as follows:

Page 2, strike lines 9 through 14.

Page 2, line 26, delete "(f)" and insert "(e)".

Page 2, line 36, strike "(g)" and insert "(f)".

Page 2, line 39, strike "(h)" and insert "(g)".

(Reference is to EHB 1337 as printed March 31, 2017.)

L. BROWN

Motion prevailed.

SENATE MOTION
(Amendment 1337-2)

Madam President: I move that Engrossed House Bill 1337 be amended to read as follows:

Page 2, strike lines 9 through 14.

Page 2, line 26, delete "(f)" and insert "(e)".

Page 2, line 36, strike "(g)" and insert "(f)".

Page 2, line 39, strike "(h)" and insert "(g)".

Page 3, line 3, after "patient" insert ",".

Page 5, line 32, delete "diagnosed the patient and".

Page 5, line 33, delete "for" and insert "**to assist the prescriber in**".

Page 5, line 36, delete "the diagnosis included in".

(Reference is to EHB 1337 as printed March 31, 2017.)

L. BROWN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1406

Senator Koch called up Engrossed House Bill 1406 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1406-1)

Madam President: I move that Engrossed House Bill 1406 be amended to read as follows:

Page 30, after line 42, begin a new paragraph and insert:

"SECTION 20. IC 35-48-4-1, AS AMENDED BY P.L.44-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) A person who:

(1) knowingly or intentionally:

(A) manufactures;

(B) finances the manufacture of;

(C) delivers; or

(D) finances the delivery of;

cocaine or a narcotic drug, pure or adulterated, classified in schedule I or II; or

(2) possesses, with intent to:

(A) manufacture;

(B) finance the manufacture of;

(C) deliver; or

(D) finance the delivery of;
cocaine or a narcotic drug, pure or adulterated, classified in schedule I or II;
commits dealing in cocaine or a narcotic drug, a Level 5 felony, except as provided in subsections (b) through (e).

(b) A person may be convicted of an offense under subsection (a)(2) only if:

(1) there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug; or

(2) the amount of the drug involved is at least twenty-eight (28) grams.

(c) The offense is a Level 4 felony if:

(1) the amount of the drug involved is at least one (1) gram but less than five (5) grams; or

(2) the amount of the drug involved is less than one (1) gram and an enhancing circumstance applies; or

(3) the drug is heroin and the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least three (3) grams but less than seven (7) grams.

(d) The offense is a Level 3 felony if:

(1) the amount of the drug involved is at least five (5) grams but less than ten (10) grams; or

(2) the amount of the drug involved is at least one (1) gram but less than five (5) grams and an enhancing circumstance applies;

(3) the drug is heroin and the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least seven (7) grams but less than twelve (12) grams; or

(4) the drug is heroin and:

(A) the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least three (3) grams but less than seven (7) grams; and

(B) an enhancing circumstance applies.

(e) The offense is a Level 2 felony if:

(1) the amount of the drug involved is at least ten (10) grams; or

(2) the amount of the drug involved is at least five (5) grams but less than ten (10) grams and an enhancing circumstance applies;

(3) the drug is heroin and the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least twelve (12) grams; or

(4) the drug is heroin and:

(A) the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least seven (7) grams but less than twelve (12) grams; and
(B) an enhancing circumstance applies."

Page 41, line 42, strike "or".

Page 41, line 42, after "(d)," insert "or (e)".

Page 42, line 1, strike "If" and insert "**Except as provided in subsection (d), if**".

Page 42, line 14, delete ":".
 Page 42, strike lines 15 through 18.
 Page 42, line 19, strike "of heroin;".
 Page 42, line 20, strike "(B)".
 Page 42, line 20, delete ";".
 Page 42, line 21, delete "(C)".
 Page 42, run in lines 20 through 21.
 Page 42, between lines 23 and 24, begin a new paragraph and insert:

**"(d) If a person:
 (1) is convicted of dealing in heroin as a Level 2 or Level 3 felony under IC 35-48-4-1 or IC 35-48-4-2; and
 (2) has a prior unrelated felony conviction;
 the court may suspend only that part of a sentence that is in excess of the minimum sentence for the Level 2 or Level 3 felony."**

Page 42, line 24, strike "(d)" and insert "(e)".
 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1406 as printed March 31, 2017.)

HERSHMAN

Motion prevailed.

SENATE MOTION
 (Amendment 1406-2)

Madam President: I move that Engrossed House Bill 1406 be amended to read as follows:

Page 21, line 5, delete ":".
 Page 21, line 6, strike "(A)".
 Page 21, line 7, strike "cocaine or a narcotic drug (IC 35-48-4-1);" and insert "**a controlled substance**";
 Page 21, line 8, strike "(B) the dealing or".
 Page 21, line 8, strike "attempted dealing".
 Page 21, line 9, strike "of methamphetamine (IC 35-48-4-1.1);".
 Page 21, line 9, delete "or".
 Page 21, delete line 10.
 Page 21, line 11, delete "methamphetamine (IC 35-48-4-1.2);".
 (Reference is to EHB 1406 as printed March 31, 2017.)

KOCH

Motion prevailed.

SENATE MOTION
 (Amendment 1406-3)

Madam President: I move that Engrossed House Bill 1406 be amended to read as follows:

Page 27, delete lines 39 through 42, begin a new paragraph and insert:
 "SECTION 17. IC 35-46-1-8, AS AMENDED BY P.L.158-2013, SECTION 554, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) A person at least eighteen (18) years of age who knowingly or intentionally encourages, aids, induces, or causes a person less than eighteen

(18) years of age to commit an act of delinquency (as defined by IC 31-37-1 or IC 31-37-2) commits contributing to delinquency, a Class A misdemeanor.

- (b) However, the offense described in subsection (a) is:
- (1) a Level 5 felony if:
 - (A) the person committing the offense is at least twenty-one (21) years of age and knowingly or intentionally furnishes:
 - (i) an alcoholic beverage to a person less than eighteen (18) years of age in violation of IC 7.1-5-7-8 when the person committing the offense knew or reasonably should have known that the person furnished the alcoholic beverage was less than eighteen (18) years of age; or
 - (ii) a controlled substance (as defined in IC 35-48-1-9) or a drug (as defined in IC 9-13-2-49.1) in violation of Indiana law; and
 - (B) the consumption, ingestion, or use of the alcoholic beverage, controlled substance, or drug is the proximate cause of the death of any person; ~~and~~
 - (2) a Level 6 felony if the person committing the offense knowingly or intentionally encourages, aids, induces, or causes a person less than eighteen (18) years of age to commit an act that would be a ~~felony misdemeanor~~ if committed by an adult; ~~under any of the following:~~
 - ~~(A) IC 35-48-4-1.~~
 - ~~(B) IC 35-48-4-1.1.~~
 - ~~(C) IC 35-48-4-2.~~
 - ~~(D) IC 35-48-4-3.~~
 - ~~(E) IC 35-48-4-4.~~
 - ~~(F) IC 35-48-4-4.5.~~
 - ~~(G) IC 35-48-4-4.6.~~
 - ~~(H) IC 35-48-4-5.~~
 - (3) a Level 5 felony if the person committing the offense knowingly or intentionally encourages, aids, induces, or causes a person less than eighteen (18) years of age to commit an act that would be a Level 6 felony if committed by an adult;
 - (4) a Level 4 felony if the person committing the offense knowingly or intentionally encourages, aids, induces, or causes a person less than eighteen (18) years of age to commit an act that would be a Level 5 felony if committed by an adult;
 - (5) a Level 3 felony if the person committing the offense knowingly or intentionally encourages, aids, induces, or causes a person less than eighteen (18) years of age to commit an act that would be a Level 4 felony if committed by an adult;
 - (6) a Level 2 felony if the person committing the offense knowingly or intentionally encourages, aids, induces, or causes a person less than eighteen (18) years of age to commit an act that would be a Level 3 felony if committed by an adult;
 - (7) a Level 1 felony if the person committing the offense knowingly or intentionally encourages, aids, induces, or

causes a person less than eighteen (18) years of age to commit an act that would be a Level 1 or 2 felony if committed by an adult; or (8) punishable under IC 35-50-2-3(a) (penalty for murder) if the person committing the offense knowingly or intentionally encourages, aids, induces, or causes a person less than eighteen (18) years of age to commit an act that would be murder if committed by an adult."

Page 28, delete lines 1 through 32.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1406 as printed March 31, 2017.)

KOCH

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1438

Senator Merritt called up Engrossed House Bill 1438 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1450

Senator Mishler called up Engrossed House Bill 1450 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 1450-3)

Madam President: I move that Engrossed House Bill 1450 be amended to read as follows:

Page 2, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 2. IC 5-22-2-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 23. (a) "Public funds" means money:

- (1) derived from the revenue sources of the governmental body; and
- (2) deposited into the general or a special fund of the governmental body.

(b) The term does not include either of the following:

- (1) Money received by ~~any a person managing or operating a public facility~~ under an authorized ~~operating public-private~~ agreement under IC 5-23.
- (2) Proceeds of bonds payable exclusively by a private entity."

Page 6, line 28, delete "and before".

Page 6, line 29, delete "January 1, 2018,".

Page 6, line 36, after "the" insert "**total**".

Page 29, line 27, delete "publishes the political" and insert "~~the~~".

Page 29, line 28, delete "subdivision's".

Page 29, line 28, strike "preliminary determination".

Page 29, line 28, after "determination" insert "**gives notice of the political subdivision's decision**".

Page 32, line 29, delete "publishes".

Page 32, line 29, strike "the".

Page 32, line 29, delete "political subdivision's".

Page 32, line 29, strike "preliminary".

Page 32, line 30, strike "determination".

Page 32, line 30, after "determination" insert "**gives notice of the political subdivision's decision**".

Page 41, line 19, after "which" insert "**the**".

Page 50, delete lines 34 through 42, begin a new paragraph and insert:

"SECTION 35. IC 36-1-12-1.2, AS AMENDED BY P.L.91-2014, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.2. The following definitions apply throughout this chapter:

- (1) "Board" means the board or officer of a political subdivision or an agency having the power to award contracts for public work.
- (2) "Contractor" means a person who is a party to a public work contract with the board.
- (3) "Subcontractor" means a person who is a party to a contract with the contractor and furnishes and performs labor on the public work project. The term includes material men who supply contractors or subcontractors.
- (4) "Escrowed income" means the value of all property held in an escrow account over the escrowed principal in the account.
- (5) "Escrowed principal" means the value of all cash and securities or other property placed in an escrow account.
- (6) "Operating agreement" has the meaning set forth in IC 5-23-2-7.
- (7) "Person" means any association, corporation, limited liability company, fiduciary, individual, joint venture, partnership, sole proprietorship, or any other legal entity.
- (8) "Property" means all:
 - (A) personal property, fixtures, furnishings, inventory, and equipment; and
 - (B) real property.
- (9) "Public fund" means all funds that are:
 - (A) derived from the established revenue sources of a political subdivision or an agency of a political subdivision; and
 - (B) deposited in a general or special fund of a municipal corporation, or another political subdivision or agency of a political subdivision.

The term does not include funds received by ~~any a person managing or operating a public project~~ under a duly authorized ~~operating public-private~~ agreement under IC 5-23 or proceeds of bonds payable exclusively by a private entity.
- (10) "Retainage" means the amount to be withheld from a payment to the contractor or subcontractor until the occurrence of a specified event.
- (11) "Specifications" means a description of the physical characteristics, functional characteristics, extent, or nature of any public work required by the board.
- (12) "Substantial completion" refers to the date when the construction of a structure is sufficiently completed, in

accordance with the plans and specifications, as modified by any complete change orders agreed to by the parties, so that it can be occupied for the use for which it was intended."

Page 51, delete lines 1 through 5.

Page 72, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 65. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "study committee" refers to the interim study committee on agriculture and natural resources established by IC 2-5-1.3-4(1) or another appropriate study committee.

(b) As used in this SECTION, "zoological park" means:

(1) a permanent establishment that is a member of the American Association of Zoological Parks and Aquariums; or

(2) an agency of local government, open to and administered for the public, to provide education, conservation, and preservation of the earth's fauna.

(c) The legislative council is urged to assign to a study committee the topic of creating a dedicated source of funding for zoological parks in the state of Indiana to do the following:

(1) Promote tourism.

(2) Further job creation and employment opportunities.

(3) Enhance educational opportunities for students in kindergarten through postsecondary educational institutions.

(4) Develop animal and botanical exhibits to enhance Indiana's reputation in providing quality animal and botanical exhibitions.

(d) If the legislative council assigns the topic described in subsection (c) to a study committee, the study committee shall complete the study required by this SECTION and report its findings and recommendations, if any, to the legislative council in an electronic format under IC 5-14-6 not later than November 1, 2017.

(e) This SECTION expires January 1, 2018."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1450 as printed March 31, 2017.)

MISHLER

Motion prevailed.

SENATE MOTION
(Amendment 1450-1)

Madam President: I move that Engrossed House Bill 1450 be amended to read as follows:

Page 6, line 28, delete "and before".

Page 6, line 29, delete "January 1, 2018,".

Page 6, line 36, after "the" insert "total".

Page 41, line 19, after "which" insert "the".

(Reference is to EHB 1450 as printed March 31, 2017.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1491

Senator Merritt called up Engrossed House Bill 1491 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1491-3)

Madam President: I move that Engrossed House Bill 1491 be amended to read as follows:

Page 144, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 209. [EFFECTIVE JULY 1, 2017] (a) As used in this SECTION, "committee" refers to the interim study committee on roads and transportation established by IC 2-5-1.3-4(16).

(b) As used in this SECTION, "interim" has the meaning set forth in IC 2-5-1.3-1.

(c) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.

(d) The legislative council is urged to assign to the committee for study during the 2017 interim the topic of the motor vehicle inspection and maintenance program in Lake and Porter counties and whether there are alternatives to the program that would satisfy regulatory requirements and have a comparable effect on air quality.

(e) If the topic set forth in subsection (d) is assigned to the committee, the committee shall issue a final report to the legislative council containing the committee's findings and recommendations in an electronic format under IC 5-14-6 not later than November 1, 2017.

(f) This SECTION expires December 31, 2017."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1491 as printed March 31, 2017.)

NIEMEYER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1523

Senator Bray called up Engrossed House Bill 1523 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1523-3)

Madam President: I move that Engrossed House Bill 1523 be amended to read as follows:

Page 5, line 4, delete "IC 36-2-7" and insert "IC 36-2-7-10 or IC 36-2-7-10.1".

Page 7, line 21, after "(m)" insert "This subsection does not apply to a title search (as defined in IC 27-7-3-2(h)), if an individual requesting the search does not have the option of searching the records without assistance by county employees."

(Reference is to EHB 1523 as printed March 24, 2017.)

BRAY

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1626

Senator Messmer called up Engrossed House Bill 1626 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**ENGROSSED HOUSE BILLS
ON THIRD READING**

Engrossed House Bill 1002

Senator Crider called up Engrossed House Bill 1002 for third reading:

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

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

Roll Call 360: yeas 34, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1003

Senator Kruse called up Engrossed House Bill 1003 for third reading:

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

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

Roll Call 361: yeas 32, nays 16. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1005

Senator Buck called up Engrossed House Bill 1005 for third reading:

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

Senator Lanane rose to a point of order, citing Rule 81(e), stating the language in Engrossed House Bill 1005 was decisively defeated and should not be eligible for consideration. The Chair ruled the point of order was out of order.

The decision of the Chair was appealed by Senator Lanane. The President requested Senator Long to take the Chair.

Senator Lanane was recognized to speak on the appeal.

Senator Hershman was recognized by the Chair and moved the previous question.

The Chair asked, Shall the question be now put?

Motion prevailed.

The question pending was, Shall the ruling of the Chair be sustained?

Upon the request of Senator Lanane the Chair ordered the roll of the Senate to be called.

Roll Call 362: yeas 39, nays 9. The decision of the Chair was sustained.

The president resumed the Chair.

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

Roll Call 363: yeas 28, nays 20. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1007

Senator Kruse called up Engrossed House Bill 1007 for third reading:

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

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

Roll Call 364: yeas 40, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1009

Senator Kenley called up Engrossed House Bill 1009 for third reading:

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

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

Roll Call 365: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1013

Senator Mishler called up Engrossed House Bill 1013 for third reading:

A BILL FOR AN ACT concerning taxation.

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

Roll Call 366: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1036

Senator Merritt called up Engrossed House Bill 1036 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

Roll Call 367: yeas 33, nays 15. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1053

Senator Crider called up Engrossed House Bill 1053 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

Roll Call 368: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1104

Senator Merritt called up Engrossed House Bill 1104 for third reading:

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

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

Roll Call 369: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1273

Senator Crider called up Engrossed House Bill 1273 for third reading:

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

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

Roll Call 370: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1344

Senator Charbonneau called up Engrossed House Bill 1344 for third reading:

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

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

Roll Call 371: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1382

Senator Kruse called up Engrossed House Bill 1382 for third reading:

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

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

Roll Call 372: yeas 37, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1384

Senator Raatz called up Engrossed House Bill 1384 for third reading:

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

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

Roll Call 373: yeas 36, nays 12. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1391

Senator Head called up Engrossed House Bill 1391 for third reading:

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

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

Roll Call 374: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1394

Senator Boots called up Engrossed House Bill 1394 for third reading:

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

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

Roll Call 375: yeas 37, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1422

Senator Bohacek called up Engrossed House Bill 1422 for third reading:

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

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

Roll Call 376: yeas 42, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1439

Senator Charbonneau called up Engrossed House Bill 1439 for third reading:

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

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

Roll Call 377: yeas 48, nays 0. The bill was declared passed.

The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1441

Senator Becker called up Engrossed House Bill 1441 for third reading:

A BILL FOR AN ACT concerning health.

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

Roll Call 378: yeas 35, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1449

Senator Kruse called up Engrossed House Bill 1449 for third reading:

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

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

Roll Call 379: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1471

Senator Head called up Engrossed House Bill 1471 for third reading:

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

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

Roll Call 380: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1535

Senator Bray called up Engrossed House Bill 1535 for third reading:

A BILL FOR AN ACT concerning public safety.

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

April 4, 2017

Senate 955

Roll Call 381: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1537

Senator Boots called up Engrossed House Bill 1537 for third reading:

A BILL FOR AN ACT concerning pensions.

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

Roll Call 382: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1541

Senator Merritt called up Engrossed House Bill 1541 for third reading:

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

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

Roll Call 383: yeas 45, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1555

Senator Walker called up Engrossed House Bill 1555 for third reading:

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

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

Roll Call 384: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1642

Senator Becker called up Engrossed House Bill 1642 for third reading:

A BILL FOR AN ACT concerning health.

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

Roll Call 385: yeas 42, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 70 and 71 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE PRESIDENT
OF THE SENATE

Members of the Senate: I have on the 4th day of April, 2017, signed House Enrolled Acts: 1272 and 1324.

SUZANNE CROUCH
Lieutenant Governor

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buck, Charbonneau, Crane, Delph, Doriot, Eckerty, Ford, Glick, Grooms, Head, Hershman, Holdman, Houchin, Kenley, Koch, Kruse, Lanane, Leising, Long, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, J. Smith, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zakas and Zay be added as coauthors of Senate Resolution 49.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buck, Charbonneau, Crane, Crider, Delph, Doriot, Eckerty, Ford, Freeman, Glick, Grooms, Head, Hershman, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Long, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Ruckelshaus, Sandlin, J. Smith, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zakas and Zay be added as cosponsors of House Concurrent Resolution 74.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as cosponsor of Engrossed House Bill 1002.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as cosponsor of Engrossed House Bill 1002.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as cosponsor of Engrossed House Bill 1002.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as second sponsor of Engrossed House Bill 1009.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second sponsor of Engrossed House Bill 1043.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as second sponsor of Engrossed House Bill 1085.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as cosponsor of Engrossed House Bill 1130.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as cosponsor of Engrossed House Bill 1130.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1148.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1337.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as cosponsor of Engrossed House Bill 1394.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be added as second sponsor of Engrossed House Bill 1406.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1406.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as cosponsor of Engrossed House Bill 1444.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1444.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as second sponsor of Engrossed House Bill 1449.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as cosponsor of Engrossed House Bill 1449.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as second sponsor of Engrossed House Bill 1537.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as cosponsor of Engrossed House Bill 1555.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1137, which is eligible for third reading, be returned to second reading for purposes of amendment.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1133, which is eligible for third reading, be returned to second reading for purposes of amendment.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Wednesday, April 5, 2017.

LONG

Motion prevailed.

The Senate adjourned at 6:47 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate