



Journal of the House

State of Indiana

120th General Assembly

First Regular Session

Thirty-sixth Day

Monday Afternoon

March 27, 2017

The invocation was offered by Dr. Will Miller of The Gathering in Lafayette, a guest of Representative Siegrist.

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

The Pledge of Allegiance to the Flag was led by Representative Heaton.

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

Arnold	Kirchhofer
Austin	Klinker
Aylesworth	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett ☐	Leonard
Bauer	Lucas
Behning	Lyness
Beumer	Macer
Borders	Mahan
Braun	May
C. Brown	Mayfield
T. Brown	McNamara
Burton	Miller
Candelaria Reardon	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cook	Negele
Culver	Nisly
Davisson	Ober
DeLaney	Olthoff
DeVon	Pelath
Dvorak	Pierce
Eberhart	Porter
Ellington	Pressel
Engleman	Pryor
Errington	Richardson
Forestal	Saunders
Friend	Schaibley
Frizzell	Shackleford
Frye	Siegrist
GiaQuinta	Slager
Goodin	Smaltz
Gutwein	M. Smith
Hamilton	V. Smith
Hamm	Soliday
Harris	Speedy
Hatfield	Stemler
Heaton	Steuerwald
Heine	Sullivan
Huston	Summers
Jordan	J. Taylor
Judy	Thompson
Karickhoff	Torr
Kersey	VanNatter

Washburne
Wesco
Wolkins
Wright

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 301: 99 present; 1 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, March 28, 2017, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 20, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 20 as printed January 31, 2017.)

Committee Vote: Yeas 11, Nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 105, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 105 as printed February 10, 2017.)

Committee Vote: Yeas 11, Nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 175, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 175 as reprinted February 1, 2017.)

Committee Vote: Yeas 9, Nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 222, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 222 as printed February 28, 2017.)

Committee Vote: Yeas 11, Nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 348, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 5 through 6, begin a new paragraph and insert:

"(b) As used in this section, "sign" refers to a sign, the surface area of which is not greater than thirty-two (32) square feet. For purposes of determining the surface area of a sign under this section, if a sign consists of two (2) faces, only the surface area of one (1) of the faces is considered if both of the following apply:

- (1) The faces are mounted back to back.**
- (2) The measure of the angle between the faces is not more than fifteen (15) degrees."**

Page 1, line 10, delete "thirty (30)" and insert "sixty (60)".

Page 1, line 15, delete "P.L.126-2011," and insert "HEA 1421-2017, SECTION 3,".

Page 1, line 16, delete "SECTION 40,".

Page 2, delete line 15.

Page 2, line 16, delete "if" begin a new paragraph and insert: "(c) If".

Page 2, line 17, after "of a" insert "local unit of government or a".

Page 2, line 32, delete "." and insert ", regardless of whether such changes in the statutes, ordinances, rules, development standards, or regulations are part of a zoning ordinance, a subdivision control ordinance, or a statute, ordinance, or regulation that is based on the general police powers of the local unit of government."

Page 3, line 9, after "(f)" insert ",".

Page 3, line 9, delete "and section 1110 of this chapter (before".

Page 3, line 10, delete "its expiration),".

Page 3, line 27, after "of the" insert "local unit of government or the".

Page 3, line 28, delete "." and insert ", regardless of whether such changes in the statutes, ordinances, rules, development standards, or regulations are part of a zoning ordinance, a subdivision control ordinance, or a statute, ordinance, or regulation that is based on the general police powers of the local unit of government."

(Reference is to SB 348 as printed February 24, 2017.) and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 2.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 505, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 392 with "[EFFECTIVE JULY 1, 2017]".

Page 11, delete line 29.

Page 30, line 17, delete "seven" and insert "ten".

Page 30, line 18, delete "(\$7)" and insert "(\$10)".

Page 30, line 22, after "IC 36-7-15.1-35.5(e)." insert "**This subdivision does not apply if the county fiscal body adopts a fee under section 10.7 of this chapter."**

Page 30, line 25, after "of" insert ":".

Page 30, line 25, beginning with "(A)" begin a new line double block indented.

Page 30, line 25, reset in roman "(A) two".

Page 30, line 25, delete "seven".

Page 30, line 25, reset in roman "and fifty".

Page 30, line 26, reset in roman "cents (\$2.50)".

Page 30, line 26, delete "(\$7)".

Page 30, line 26, reset in roman "the first page; and".

Page 30, line 26, beginning with "(B)" begin a new line double block indented.

Page 30, line 26, reset in roman "(B) one dollar (\$1) for".

Page 30, line 27, reset in roman "each additional page;".

Page 30, line 27, beginning with "of" begin a new line block indented.

Page 30, line 27, reset in roman "of".

Page 30, line 31, after "(d)" insert "**This subsection does not apply in a county containing a consolidated city. Section 10.5 of this chapter applies to the deposit of fees collected under subsection (c)(1) in a county containing a consolidated city."**

Page 31, line 1, after "(e)" insert "**This subsection does not apply in a county containing a consolidated city. Section 10.5 of this chapter applies to the deposit of fees collected under subsection (c)(2) in a county containing a consolidated city."**

Page 37, line 5, after "other bulk" insert "**user or title plant."**

Page 37, delete line 6.

Page 37, between lines 13 and 14, begin a new paragraph and insert:

"(j) If a bulk user does not comply with a contract, the county recorder may terminate the contract, immediately stop providing bulk form copies to the bulk user, and refuse to provide the bulk form copies requested by the bulk user. The county recorder may refuse subsequent requests from a bulk user for bulk form copies in the following circumstances:

- (1) The bulk user is a person that has had a previous bulk form copy contract terminated by the county recorder because the recorder determined that the bulk user failed to comply with the contract.**
- (2) The bulk user is a corporation or limited liability company in which a person has a majority or controlling interest and:**

- (A) the person requested bulk form copies under a previous contract with the county recorder; and**
- (B) the contract was terminated by the county recorder because the county recorder determined that the person failed to comply with the contract."**

Page 37, line 14, delete "(j)" and insert "(k)".

Page 38, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 39. IC 36-2-7-10.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 10.5. (a) This section applies only in a county containing a consolidated city.**

(b) The county recorder shall deposit the fees collected under section 10(c)(1) of this chapter as follows:

- (1) Nine dollars (\$9) in the county general fund.**
- (2) Five dollars (\$5) in the county surveyor's corner perpetuation fund for use as provided under IC 21-47-3-3 or IC 36-2-12-11(e).**
- (3) Ten dollars (\$10) in the county recorder's records perpetuation fund established under section 10(f) of this chapter.**
- (4) Fifty cents (\$0.50) in the county identification security protection fund established under IC 36-2-7.5-11.**

(5) Fifty cents (\$0.50) in the elected officials training fund under IC 36-2-7-19.

(c) The county recorder shall deposit the fees collected under section 10(c)(2) of this chapter as follows:

(1) Thirty-five dollars (\$35) in the county general fund.

(2) Five dollars (\$5) in the county surveyor's corner perpetuation fund for use as provided under IC 21-47-3-3 or IC 36-2-12-11(e).

(3) Eleven dollars and fifty cents (\$11.50) in the county recorder's records perpetuation fund established under section 10(f) of this chapter.

(4) Two dollars and fifty cents (\$2.50) with the county treasurer to be distributed in accordance with IC 24-9-9-3 and IC 24-9-9-4.

(5) Fifty cents (\$0.50) in the county identification security protection fund established under IC 36-2-7.5-11.

(6) Fifty cents (\$0.50) in the elected officials training fund under IC 36-2-7-19.

SECTION 40. IC 36-2-7-10.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 10.7. (a) This section applies in a county containing a consolidated city that has established a housing trust fund under IC 36-7-15.1-35.5(e).**

(b) The county fiscal body may adopt an ordinance authorizing the county recorder to charge a fee of ten dollars (\$10) for each document the recorder records.

(c) If the county fiscal body adopts an ordinance under this section, the following do not apply:

(1) Section 10(c)(9) of this chapter.

(2) Section 10(k) of this chapter.

(d) All money collected by the county recorder under this section shall be deposited in the housing trust fund established under IC 36-7-15.1-35.5(e) for the purposes of the fund."

Page 104, line 30, delete ";" and insert "or IC 36-2-7-10.7;".

Renumber all SECTIONS consecutively.

(Reference is to SB 505 as reprinted February 24, 2017.) and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 513, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 513 as reprinted February 1, 2017.)

Committee Vote: Yeas 7, Nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Joint Resolution 7, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to SJ 7 as printed January 18, 2017.)

Committee Vote: Yeas 11, Nays 0.

STEUERWALD, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 60

Representatives Kersey, Heaton, Morrison, Borders and Bauer introduced House Concurrent Resolution 60:

A CONCURRENT RESOLUTION memorializing John Jay McNichols.

Whereas, Coach John Jay McNichols was the longest serving coach in the history of Indiana State University (ISU), serving as head coach for 34 years and as director of both the track and field and cross country programs for 28 years;

Whereas, Originally from Iowa, Coach McNichols graduated from Edgewood High School in Ellettsville and attended Indiana University on a track scholarship earning bachelor's and master's degrees;

Whereas, Coach McNichols spent his entire professional life in Indiana, beginning as a teacher and coach in the Monroe County Community School Corporation coaching track and field, cross country, football, and wrestling;

Whereas, In 1983, Coach McNichols began his highly acclaimed career at Indiana State University;

Whereas, During his career at ISU, Coach McNichols produced 38 Missouri Valley Conference Championships, 15 NCAA champions, 87 All-American athletes, and several Olympians;

Whereas, Coach McNichols was the most honored coach in Indiana State University history earning 28 Coach of the Year awards, including Missouri Valley Conference Cross Country nine times, Missouri Valley Conference Indoor Track and Field three times, Missouri Valley Conference Outdoor Track and Field 11 times, NCAA District V Outdoor Track and Field four times, and Great Lakes Region Cross Country once;

Whereas, Coach McNichols was dedicated to the Terre Haute community, spearheading work on the Wabashiki and Heritage trails and supporting Indiana State University's involvement in the development of the riverfront by building a new outdoor track facility on the eastern banks of the Wabash River;

Whereas, The work of Coach McNichols extended far beyond Terre Haute;

Whereas, His influence was felt nationally and internationally through his work on the NCAA Track Rules Committee and the 1996 Atlanta Olympics committee;

Whereas, Coach McNichols was inducted into the Indiana Track and Cross Country Hall of Fame and the Drake Relays Coaches Hall of Fame; and

Whereas, A dedicated husband, father, and grandfather, Coach McNichols will be missed by all who knew him or came in contact with him: Therefore,

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

SECTION 1. That the Indiana General Assembly expresses its heartfelt sympathy to the family of Coach McNichols and recognizes the many contributions he made to his community, his state, and his country through his dedication to athletics and young people.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the family of John Jay McNichols.

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

House Concurrent Resolution 61

Representatives Miller, Nisly and Wesco introduced House Concurrent Resolution 61:

A CONCURRENT RESOLUTION celebrating the 65th anniversary of the creation of the Association for the Disabled of Elkhart County.

Whereas, The Association for the Disabled of Elkhart County came into existence when the parents of children with disabilities came together and decided they wanted more for their children;

Whereas, The very first employees of the Association for the Disabled of Elkhart County were the parents of these children working to give their children more opportunities;

Whereas, Founded in 1952, the Association for the Disabled of Elkhart County (ADEC) originally was named The Council for Retarded Children of Elkhart County;

Whereas, By the 1970s, the organization changed its name to the Association for the Disabled of Elkhart County;

Whereas, Today the acronym ADEC is used to remind others of the organization's four core values: A life of their own: ADEC clients deserve a chance to make their own choices, pursue their passions, learn new skills, develop healthy personal relationships, and make a positive contribution; Dignity: ADEC clients are entitled to respect and professionalism as their daily needs are met and entitled to protection from exploitation and abuse; Employment: ADEC clients deserve the opportunity to find dignity and meaning in work; and Community: As an active part of the community, ADEC connects clients with local opportunities;

Whereas, Located in St. Joseph and Elkhart counties, the Association for the Disabled of Elkhart County serves over 1,000 individuals and families with more than 400 employees on staff;

Whereas, The Association for the Disabled of Elkhart County provides its clients with five day service programs, employment opportunities through ADEC community employment, and group home opportunities;

Whereas, The Association for the Disabled of Elkhart County strives to ensure the inclusion of all people with disabilities in all aspects of community life; and

Whereas, It is through the efforts of the staff and volunteers of the Association for the Disabled of Elkhart County that these valued services are being provided to the citizens of Indiana who need them so much: 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 services provided by the Association for the Disabled of Elkhart County to those in need in St. Joseph and Elkhart counties.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Donna L. Belusar, Ph.D., president and chief executive officer of the Association for the Disabled of Elkhart County.

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

House Concurrent Resolution 62

Representatives Judy, Carbaugh, GiaQuinta, Heine and Morris introduced House Concurrent Resolution 62:

A CONCURRENT RESOLUTION honoring the Homestead High School girls basketball team.

Whereas, Number two-ranked Homestead High School defeated fourth-ranked Pike High School to win the Class 4A girls basketball state title;

Whereas, The Spartans took the lead with a basket by Madisen Parker in the third quarter and never trailed again on their way to a 61-54 victory;

Whereas, The lead seasawed back and forth in a game that never had a spread larger than eight points;

Whereas, This year marked the second time in three seasons that Homestead High School made it to the finals, finishing runner-up in its first state finals appearance in 2015;

Whereas, This win was the first girls basketball state championship for the Spartans, and the first for head coach Rod Parker, who has spent all 16 years of his head coaching career at Homestead High School;

Whereas, Karissa McLaughlin led the Spartans with 29 points, including 11 of 14 free throws and six assists; Madisen Parker made five 3-point baskets, finishing with 17 points; and Jazmyne Geist had eight points and 12 rebounds;

Whereas, Madisen Parker was selected by the members of the Indiana High School Athletic Association Executive Committee as the winner of the Patricia L. Roy Mental Attitude Award in Class 4A girls basketball;

Whereas, Madisen Parker is an Indiana Basketball Coaches Association First Team All-State member for 2016, an Indiana Junior All Star, a First Team All-Conference member for 2016 and 2017, and the Indiana Class Basketball All Star Classic MVP for 2016;

Whereas, Madisen Parker ranks near the top of her class of 535 students, has received awards of excellence from Homestead for physical education, health, and weight and strength, and has been on the distinguished honor roll and honor roll for her high school career; and

Whereas, Excellence of this caliber deserves special recognition: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Homestead High School girls basketball team on winning the Class 4A state championship and wishes the players continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to each team member, student manager, assistant coach, head coach Rod Parker, athletic director Joe Updegrove, principal Park Ginder, and superintendent Dr. Phil Downs.

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

House Concurrent Resolution 63

Representative Klinker introduced House Concurrent Resolution 63:

A CONCURRENT RESOLUTION honoring David Boudia.

Whereas, A 20-time national champion, David has been diving since 2000 and has trained under Olympic coaches John Wingfield and Adam Soldati;

Whereas, David Boudia was a three-year letterwinner in diving at Purdue from 2009 to 2011 and is arguably the most-decorated athlete in Purdue history;

Whereas, In addition to his national championships, David was named 2011 Big Ten Jesse Owens Male Athlete of the Year, and he swept the three diving events at the 2009 and 2011 Big Ten Championships, becoming the first Big Ten diver to win all three events twice (he also won titles on 3-meter and platform in 2010);

Whereas, David was named eight times as USA Diving Athlete of the Year (in 2008, and 2010 through 2016); and named the NCAA Diver of the Year in 2009, 2010, and 2011;

Whereas, David is a six-time NCAA champion (individual 3-meter and platform in 2009, and individual 1-meter and 3-meter in 2010 and 2011); a six-time World Cup team member; and was a gold medalist in synchronized 10-meter at the 2007 Pan Am Games;

Whereas, David Boudia is a four-time Olympic medalist who won a gold medal in individual 10-meter and a bronze medal in synchronized 10-meter at the 2012 Games in London;

Whereas, David Boudia teamed with fellow Boilermaker Steele Johnson to win a silver medal in synchronized 10-meter and won bronze in 10-meter at the 2016 Games in Rio de Janeiro. Boudia finished fifth in synchronized 10-meter and 10th in the individual 10-meter competition at the 2008 Games in Beijing;

Whereas, David's four Olympic medals are the second-most by an athlete in Purdue school history, and he is one of four Boilermakers to compete in at least three Olympics;

Whereas, David Boudia became the first male 10-meter diver to win gold for Team USA and to medal in back-to-back Olympics since Greg Louganis in 1988;

Whereas, David Boudia is a native of Noblesville and currently makes his home in West Lafayette with his wife, Sonnie, and daughter, Dakota;

Whereas, David Boudia has published his autobiography entitled "Greater Than Gold," in August 2016; and

Whereas, Through dedication and hard work David Boudia has risen to a level of performance achieved by few athletes in any field; David Boudia is now moving on to another exciting adventure that he will handle with the same grace and poise he displayed in the pool: 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 David Boudia and wishes him continued success in all his future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to David Boudia and his family.

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

House Resolution 46

Representatives Saunders, Cherry and Shackelford introduced House Resolution 46:

A HOUSE RESOLUTION recognizing Sam Maggard.

Whereas, Sam Maggard is a true Hoosier hero;

Whereas, Jean Ann Harcourt's heart suddenly stopped beating on January 6, 2017, while having lunch in Milroy;

Whereas, Sam Maggard, who was in the restaurant to see if his work crews had arrived, began to administer cardiopulmonary resuscitation (CPR);

Whereas, Sam Maggard continued to perform CPR until emergency medical technicians (EMTs) arrived on the scene;

Whereas, EMTs used a defibrillator on Jean Ann Harcourt twice, starting her heart beating again;

Whereas, Jean Ann Harcourt was taken to the Rush Memorial Hospital and later flown by LifeLine helicopter to St. Vincent Heart Center in Indianapolis;

Whereas, The medical professionals involved stressed that the quick CPR provided by Sam Maggard saved the life of Jean Ann Harcourt;

Whereas, In 1960, cardiopulmonary resuscitation was developed, and the American Heart Association started a program to acquaint physicians with closed-chest cardiac resuscitation that became the forerunner of CPR training for the general public;

Whereas, Each year, more than 350,000 out-of-hospital cardiac arrests occur in the United States;

Whereas, Almost 90 percent of the people who suffer out-of-hospital cardiac arrests die;

Whereas, CPR, if performed in the first few minutes of cardiac arrest, can double or triple a person's chance of survival;

Whereas, CPR is also valuable for use in reviving people who have suffered from electric shock, drowning, severe allergic reactions, choking, drug overdose, and suffocation; and

Whereas, Jean Ann Harcourt is alive today because Sam Maggard knew CPR: Therefore,

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

SECTION 1. That the members of the Indiana House of Representatives recognize Sam Maggard for his quick actions that saved the life of Jean Ann Harcourt and encourage all Hoosiers, regardless of age, to learn the proper way to administer cardiopulmonary resuscitation (CPR).

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the families of Sam Maggard and Jean Ann Harcourt.

The resolution was read a first time and adopted by voice vote.

Senate Concurrent Resolution 37

The Speaker handed down Senate Concurrent Resolution 37, sponsored by Representatives Bauer, Dvorak, DeVon and J. Taylor:

A CONCURRENT RESOLUTION to congratulate the Saint Joseph High School Girls' Basketball Team on their 2017 Indiana Class 3A Championship.

Whereas, First-year coach, Sydney Smallbone, who played on South Bend St. Joseph's 2005 championship team, became the first person in the Indiana High School Athletic Association to win the tournament as a player and then as a coach;

Whereas, St. Joseph defeated North Harrison 57 - 49 in the girls Class 3A state championship. St. Joseph combined a smothering match up zone defense with a balanced attack to

stymie North Harrison;

Whereas, Senior guard Daly Sullivan led St. Joseph by scoring 21 points, guard Nicole Konieczny added 9 points, fellow senior Abby O'Connor scored 8 points and grabbed 8 rebounds, freshman guard Keegan Sullivan scored 7 points and 12 rebounds, and senior forward Killian Mountford added 7 points and 10 rebounds;

Whereas, St. Joseph won its seven post-season games by an average of 22.4 points and had to play three top ten teams in order to win the championship; and

Whereas, we would like to express our congratulations to Head Coach Sydney Smallbone, Assistant Coach Melissa Lechlitner, and team members: Abby O'Dell, Daly Sullivan, Kashlin Biffle, Abby O'Connor, Jessica Brandt, Kamryn Wieschhaus, Keegan Sullivan, Killian Mountford, Nicole Konieczny, Savannah Scott, Grace Quinn, Addison Quinn, and Anna Tincher for their accomplishment and winning the championship: 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 Senate congratulates St. Joseph Indiana High School Girls' Basketball Team for their Indiana Class 3A state championship.

SECTION 2. That the Secretary of the Senate transmit copies of this resolution to the Coaches and team members

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

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred Senate Bill 129, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

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

"SECTION 1. IC 16-18-2-253.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 253.2. "Nonresidential onsite sewage system", for purposes of IC 16-19-3.5, has the meaning set forth in IC 16-19-3.5-3.5.**

SECTION 2. IC 16-19-3.5-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3.5. (a) As used in this chapter, "nonresidential onsite sewage system" means all equipment and devices necessary for proper conduction, collection, storage, treatment, and onsite disposal of sewage from a building other than a single family or two-family dwelling.**

(b) The term includes all building sewers, grease traps, septic tanks, dosing tanks, absorption fields, perimeter drains, vault privies, and temporary sewage holding tanks serving one (1) of the following:

- (1) An apartment building.**
- (2) A church or other place of worship.**
- (3) A commercial establishment.**
- (4) A condominium.**
- (5) A medical facility.**
- (6) A motel.**
- (7) An office building.**

(8) A restaurant.

(9) A school."

Page 1, line 9, after "only" insert "a".

Page 1, line 9, reset in roman "project".

Page 1, line 9, after "410 IAC 6-12." insert "**for the construction of a nonresidential"**.

Page 1, line 10, after "system," insert "**an"**.

Page 1, line 10, after "camp," insert "**a"**.

Page 1, line 11, after "community," insert "**a"**.

Page 1, line 11, delete "and campground projects." and insert "**or a campground."**

Page 1, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 4. IC 36-1-12-1, AS AMENDED BY P.L.1-2010, SECTION 145, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) Except as provided in this section, this chapter applies to all public work performed or contracted for by:

(1) political subdivisions; and

(2) their agencies;

regardless of whether it is performed on property owned or leased by the political subdivision or agency.

(b) This chapter does not apply to an officer or agent who, on behalf of a municipal utility, maintains, extends, and installs services of the utility if the necessary work is done by the employees of the utility.

(c) This chapter does not apply to hospitals organized or operated under IC 16-22-1 through IC 16-22-5 or IC 16-23-1, unless the public work is financed in whole or in part with cumulative building fund revenue.

(d) This chapter does not apply to tax exempt Indiana nonprofit corporations leasing and operating a city market owned by a political subdivision.

(e) As an alternative to this chapter, the governing body of a political subdivision or its agencies may do the following:

(1) Enter into a design-build contract as permitted under IC 5-30.

(2) Participate in a utility efficiency program or enter into a guaranteed savings contract as permitted under IC 36-1-12.5.

(f) This chapter does not apply to a person that has entered into an operating agreement with a political subdivision or an agency of a political subdivision under IC 5-23.

(g) This chapter does not apply to an extension or installation of utility services if either of the following apply:

(1) Less than fifty percent (50%) of the project is paid for out of a public fund or special assessment.

(2) A utility acquires one hundred percent (100%) of existing infrastructure.

SECTION 5. IC 36-1-12-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. **(a)** As used in this chapter, "public work" means the construction, reconstruction, alteration, or renovation of a public building, airport facility, or other structure that is paid for out of a public fund or out of a special assessment.

(b) The term includes the following:

(1) The construction, alteration, or repair of a highway, street, alley, bridge, sewer, drain, or other improvement that is paid for out of a public fund or out of a special assessment. ~~The term also includes~~

(2) Any public work leased by a political subdivision under a lease containing an option to purchase.

(c) The term does not include work to extend or install services to a utility if either of the following apply:

(1) Less than fifty percent (50%) of the project is paid for out of a public fund or special assessment.

(2) A utility acquires one hundred percent (100%) of existing infrastructure.

SECTION 6. IC 36-9-23-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. **(a) Before**

~~the construction, acquisition, or lease of~~ **If the works board determines to construct, acquire, or lease** any sewage works, ~~under this chapter, the municipal legislative body works board shall adopt an ordinance or ordinances: a resolution or resolutions:~~

- (1) setting forth a brief general description of the works and, if the works are to be constructed, a reference to the plans and specifications prepared and filed by an engineer chosen by the board;
- (2) setting forth the cost of the works, as estimated by the engineer, **if the works are to be constructed**;
- (3) ordering the construction, acquisition, or lease of the works;
- (4) setting forth an estimate of the fees for the several classes of users or property to be served;
- (5) ordering the issuance of revenue bonds of the municipality under this chapter, in the amount necessary to pay the cost of the works, **if applicable**; and
- (6) containing any other necessary provisions.

(b) Unless all or part of the works is being constructed in compliance with an order of the department of environmental management to abate water pollution, notice of the adoption and the purport of the ~~ordinance or ordinances~~ **resolution or resolutions** shall immediately be given by publication in accordance with IC 5-3-1.

SECTION 7. IC 36-9-23-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. (a) This section does not apply to undertakings in compliance with orders of the department of environmental management for which no objections are authorized.

(b) Forty (40) or more owners of property connected or to be connected to and served by sewage works authorized by ~~an ordinance~~ **a resolution** under section 10(a) of this chapter may file a written petition objecting to the construction or acquisition of the works. The petition must be filed with the municipal legislative body, must contain the names and addresses of the petitioners, and must set forth the following objections:

- (1) The works are not required by the public needs.
- (2) The cost of the proposed works would be excessive considering the value of the service to be rendered to the affected community.
- (3) Any other ground of objection.

The petition shall be filed within twenty (20) days after the publication of notice under section 10(b) of this chapter.

(c) Unless the proposed works are abandoned, the municipal clerk shall file in the office of the clerk of the circuit or superior court of the county a copy of the ~~ordinance or ordinances~~ **resolution or resolutions** together with the petition. The court shall then set the matter for hearing at the earliest date possible, which must be within twenty (20) days after the filing of the petition with the court. The court shall send notice of the hearing by certified mail to the municipality and to the first ten (10) signers of the petition at the addresses shown on the petition. All interested parties shall appear in the court without further notice, and the municipality may not conduct any further proceedings concerning the works until the matters presented by the petition have been heard and determined by the court.

(d) The petitioners shall file with their petition a bond in the sum and with the security fixed by the court. The bond must be conditioned on the petitioners' payment of all or part of the costs of the hearing and any damages awarded to the municipality if the petition is denied, as ordered by the court.

(e) Upon the date fixed in the notice, the court shall, without a jury, hear the evidence produced. The court may confirm the decision of the municipal legislative body or sustain the objecting petition. The order of the court is final and conclusive upon all parties to the proceeding and parties who might have appeared at the hearing, subject only to the right of direct appeal. All questions that were presented or might have been

presented are considered to have been adjudicated by the order of the court, and no collateral attack upon the decision of the municipal legislative body or order of the court is permitted.

(f) If the court sustains the petition, or if it is sustained on appeal, the municipal legislative body may not institute any further proceedings for the construction of the sewage works described in the ~~ordinance or ordinances~~ **resolution or resolutions** for a period of one (1) year after the date of the order, unless the construction is required by a subsequent order of the state department of environmental management to abate water pollution."

Renumber all SECTIONS consecutively.

(Reference is to SB 129 as printed January 31, 2017.) and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 0.

WOLKINS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 231, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 21.

Page 3, line 29, delete "of up to three hundred thousand dollars".

Page 3, line 30, delete "\$300,000 annually".

Renumber all SECTIONS consecutively.

(Reference is to SB 231 as printed February 17, 2017.) and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 283, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, delete lines 33 through 42.

(Reference is to SB 283 as reprinted February 24, 2017.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 423, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 8 through 17.

Delete page 2.

Page 3, delete lines 1 through 17.

Page 3, line 20, delete "and" and insert "**or**".

Page 3, line 36, delete "and" and insert "**or**".

Page 3, delete lines 40 through 42.

Page 4, delete lines 1 through 10.

Page 4, line 22, after "3" delete ",".

Page 4, line 22, reset in roman "or".

Page 4, line 22, delete ", or 4.5".

Page 4, delete lines 24 through 29.

Renumber all SECTIONS consecutively.

(Reference is to SB 423 as reprinted February 28, 2017.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

STEUERWALD, Chair

Report adopted.

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 121, 243, 265, 299, 300, 312, 344, 421, 442, 446, 475 and 510.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 46

Representative Carbaugh called down Engrossed Senate Bill 46 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions 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 302: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 47

Representative Carbaugh called down Engrossed Senate Bill 47 for third reading:

A BILL FOR AN ACT to amend the Indiana Code 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 303: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 80

Representative Carbaugh called down Engrossed Senate Bill 80 for third reading:

A BILL FOR AN ACT to amend the Indiana Code 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 304: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 239

Representative Friend called down Engrossed Senate Bill 239 for third reading:

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

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

Roll Call 305: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 316

Representative Washburne called down Engrossed Senate Bill 316 for third reading:

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

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

Roll Call 306: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 332

Representative Olthoff called down Engrossed Senate Bill 332 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

Roll Call 307: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 346

Representative Clere called down Engrossed Senate Bill 346 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 308: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 347

Representative Speedy called down Engrossed Senate Bill 347 for third reading:

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

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

Roll Call 309: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 400

Representative Smaltz called down Engrossed Senate Bill 400 for third reading:

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

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

Roll Call 310: yeas 72, nays 26. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 407

Representative Torr called down Engrossed Senate Bill 407 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 311: yeas 60, nays 38. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

RECESS

The House was called back to order at 4:55 p.m. by the Speaker.

Representative Candelaria Reardon, who had been present, is now excused.

RESOLUTIONS ON FIRST READING

House Resolution 47

Representatives Macer and Arnold introduced House Resolution 47:

A HOUSE RESOLUTION urging the legislative council to assign the topic of safe and supportive schools to the appropriate committee.

Whereas, Our schools and communities are currently contending with many factors that affect the conditions in our schools, including bullying, harassment, violence, and substance abuse; and

Whereas, All schools must be able to serve as a safe, positive, healthy, and inclusive whole school learning environment: Therefore,

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

SECTION 1. That the legislative council is urged to assign the topic of safe and supportive schools to the appropriate committee.

SECTION 2. That if the topic is assigned to the appropriate committee, the committee should, among other things, study safe and supportive schools framework and action plans that provide guidance and support to schools to assist with the creation of safe and supportive schools that improve education outcomes for students.

SECTION 3. That if the topic is assigned to the appropriate committee, the committee should study, among other topics, the creation of a school monitoring tool, the development of procedures for updating, improving, or refining the safe and supportive schools framework and the school monitoring tool.

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

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 42

Representative Clere called down Engrossed Senate Bill 42 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 43

Representative Lucas called down Engrossed Senate Bill 43 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 43-1)

Mr. Speaker: I move that Engrossed Senate Bill 43 be amended to read as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 39.

Page 4, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 3. IC 35-47-11.1-4.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4.1. (a) As used in this section, "department" means the Indiana department of natural resources.**

(b) Notwithstanding 312 IAC 8-2-3, any person who:

(1) possesses a valid Indiana handgun license; and

(2) is otherwise permitted to carry or possess a handgun under state and federal law;

shall be permitted to carry or possess a handgun on any property affiliated with, operated or managed by, owned by, or leased by the department.

(c) The department shall revise 312 IAC 8-2-3 to reflect subsection (b) not later than July 1, 2018.

(d) The publisher of the Indiana Administrative Code and Indiana Register shall amend 312 IAC 8-2 to reflect any change made by the department under subsection (c).

SECTION 4. IC 35-47-11.1-4.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4.2. (a) As used in this section, "commission" means the Indiana state fair commission.**

(b) Notwithstanding 80 IAC 7-1-16(a)(1) or 80 IAC 11-2-2, any person who:

(1) possesses a valid Indiana handgun license; and

(2) is otherwise permitted to carry or possess a handgun under state and federal law;

shall be permitted to carry or possess a handgun on any property affiliated with, operated or managed by, owned by, or leased by the commission.

(c) The commission shall revise:

(1) 80 IAC 7-1-16(a)(1); and

(2) 80 IAC 11-2-2;

to reflect subsection (b) not later than July 1, 2018.

(d) The publisher of the Indiana Administrative Code and Indiana Register shall amend:

(1) 80 IAC 7-1-16(a)(1); and

(2) 80 IAC 11-2-2;

to reflect any change made by the commission under subsection (c).

SECTION 5. IC 35-47-11.1-4.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4.4. (a) As used in this section, "department" means the Indiana department of administration.**

(b) As used in this section, "Indiana government center campus" means the following:

(1) The state capitol building (excluding courtrooms).

(2) The Indiana government center-north.

(3) The Indiana government center-south.

(4) The state library.

(5) The Washington Street garage.

(6) The Senate Avenue garage.

(7) Any land adjacent to the buildings described in subdivisions (1) through (6) that is owned and controlled by the state.

(c) Notwithstanding 25 IAC 8-2, any person who:

(1) possesses a valid Indiana handgun license; and

(2) is otherwise permitted to carry or possess a handgun under state and federal law;

shall be permitted to carry or possess a handgun in or on the Indiana government center campus.

(d) The department shall revise 25 IAC 8-2 to reflect subsection (c) not later than July 1, 2018.

(e) The publisher of the Indiana Administrative Code and Indiana Register shall amend 25 IAC 8-2 to reflect any change made by the department under subsection (d).

SECTION 6. IC 35-47-11.1-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4.5. (a) As used in this section, "commission" means the Indiana horse racing commission.**

(b) Notwithstanding:

- (1) 71 IAC 7-5-1;
- (2) 71 IAC 7-5-5; and
- (3) 71 IAC 7.5-9-5;

any person who possesses a valid Indiana handgun permit and is otherwise permitted to carry or possess a handgun under state or federal law shall be permitted to carry or possess a handgun in or on race track property.

(c) The commission shall revise:

- (1) 71 IAC 7-5-1;
- (2) 71 IAC 7-5-5; and
- (3) 71 IAC 7.5-9-5;

to reflect subsection (b) not later than July 1, 2018.

(d) The publisher of the Indiana Administrative Code and Indiana Register shall amend:

- (1) 75 IAC 7-5-1;
- (2) 71 IAC 7-5-5; and
- (3) 71 IAC 7.5-9-5;

to reflect any change made by the commission under subsection (c).

SECTION 7. IC 35-47-11.1-4.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4.6. (a) As used in this section, "department" means the Indiana department of workforce development.**

(b) Notwithstanding:

- (1) 646 IAC 5-13-2; and
- (2) 646 IAC 5-13-3;

any person who possesses a valid Indiana handgun license and is otherwise permitted to carry or possess a handgun under state and federal law shall be permitted to carry or possess a handgun in or on department property.

(c) The department shall revise:

- (1) 646 IAC 5-13-2; and
- (2) 646 IAC 5-13-3;

to reflect subsection (b) not later than July 1, 2018.

(d) The publisher of the Indiana Administrative Code and Indiana Register shall amend:

- (1) 646 IAC 5-13-2; and
- (2) 646 IAC 5-13-3;

to reflect any change made by the department under subsection (c).

SECTION 8. IC 35-47-11.1-4.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4.7. (a) As used in this section, "commission" means the Indiana gaming commission.**

(b) 68 IAC 1-7-1 shall specify that any person who:

- (1) possesses a valid Indiana handgun license; and
- (2) is otherwise permitted to carry or possess a handgun under state and federal law;

shall be permitted to carry or possess a handgun in or on any property regulated by the commission.

(c) The commission shall revise 68 IAC 1-7-1 to reflect subsection (b) not later than July 1, 2018.

(d) The publisher of the Indiana Administrative Code and Indiana Register shall amend 68 IAC 1-7-1 to reflect any change made by the commission under subsection (c)."

Renumber all SECTIONS consecutively.

(Reference is to ESB 43 as printed March 24, 2017.)

ARNOLD

Upon request of Representatives Morris and C. Brown, the Speaker ordered the roll of the House to be called. Roll Call 312: yeas 46, nays 47. Motion failed.

HOUSE MOTION

(Amendment 43-2)

Mr. Speaker: I move that Engrossed Senate Bill 43 be amended to read as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 39.

Page 4, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 2. IC 35-47-11.1-4.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4.4. (a) As used in this section, "department" means the Indiana department of administration.**

(b) Notwithstanding 25 IAC 8-2, any person who:

- (1) possesses a valid Indiana handgun license; and
- (2) is otherwise permitted to carry or possess a handgun under state and federal law;

shall be permitted to carry or possess a handgun in the state capitol building (excluding courtrooms).

(c) The department shall revise 25 IAC 8-2 to reflect subsection (b) not later than July 1, 2018.

(d) The publisher of the Indiana Administrative Code and Indiana Register shall amend 25 IAC 8-2 to reflect any change made by the department under subsection (c)."

Renumber all SECTIONS consecutively.

(Reference is to ESB 43 as printed March 24, 2017.)

LUCAS

Motion failed. The bill was ordered engrossed.

Representative Saunders, who had been present, is now excused.

Engrossed Senate Bill 220

Representative Slager called down Engrossed Senate Bill 220 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 220-4)

Mr. Speaker: I move that Engrossed Senate Bill 220 be amended to read as follows:

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

"SECTION 1. IC 2-1-9-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14. (a) As used in this section, "political data" has the meaning set forth in IC 3-5-2-37.5.**

(b) Political data may not be used in establishing a house district or a senate district.

(c) This section does not prohibit the use of political data to verify that a district plan complies with the federal Voting Rights Act and other relevant federal law.

SECTION 2. IC 3-3-4-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 10. (a) As used in this section, "political data" has the meaning set forth in IC 3-5-2-37.5.**

(b) Political data may not be used in establishing a congressional district.

(c) This section does not prohibit the use of political data to verify that a district plan complies with the federal Voting Rights Act and other relevant federal law.

SECTION 3. IC 3-5-2-37.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 37.5. "Political data"**

refers only to the following:

- (1) Data relating to party registration.
- (2) Data relating to voting history.
- (3) Election returns."

Page 2, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 5. IC 3-11-1.5-3.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3.3. (a) Political data may not be used in establishing a precinct.**

(b) This section does not prohibit the use of political data to verify that a precinct plan complies with the federal Voting Rights Act and other relevant federal law."

Renumber all SECTIONS consecutively.

(Reference is to ESB 220 as printed March 24, 2017.)

HATFIELD

Representative Torr rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We hereby appeal the ruling of the Chair that amendment Senate Bill 220-4 violates House Rule 80. The amendment is assuredly germane to the bill's subject matter of establishing precincts.

DVORAK
HATFIELD

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Friend.

The question was, Shall the ruling of the Chair be sustained? Roll Call 313: yeas 67, nays 28. The ruling of the Chair was sustained.

There being no further amendments, the bill was ordered engrossed.

Engrossed Senate Bill 310

Representative VanNatter called down Engrossed Senate Bill 310 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 310-1)

Mr. Speaker: I move that Engrossed Senate Bill 310 be amended to read as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 6.

Page 7, delete line 1.

Renumber all SECTIONS consecutively.

(Reference is to ESB 310 as printed March 21, 2017.)

SHACKLEFORD

Upon request of Representatives Wesco and Mahan, the Speaker ordered the roll of the House to be called. Roll Call 314: yeas 93, nays 1. Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 386

Representative Slager called down Engrossed Senate Bill 386 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 386-3)

Mr. Speaker: I move that Engrossed Senate Bill 386 be amended to read as follows:

Page 28, line 11, delete "board," and insert "**board or**".

Page 28, line 12, delete "finance, or the Indiana board." and insert "**finance**".

(Reference is to ESB 386 as printed March 24, 2017.)

SLAGER

Motion prevailed. The bill was ordered engrossed.

The Speaker Pro Tempore yielded the gavel to the Speaker.

Engrossed Senate Bill 425

Representative Frizzell called down Engrossed Senate Bill 425 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 425-1)

Mr. Speaker: I move that Engrossed Senate Bill 425 be amended to read as follows:

Page 2, line 9, delete "Class A misdemeanor." and insert "**Class C infraction**".

Page 2, line 17, delete "Class A misdemeanor." and insert "**Class C infraction**".

Page 2, line 26, delete "Class A misdemeanor." and insert "**Class C infraction**".

Page 2, line 35, delete "Class A misdemeanor." and insert "**Class C infraction**".

Page 4, after line 14, begin a new paragraph and insert:

"SECTION 7. IC 35-52-3-1 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 1. IC 3-14-1-1 defines a crime concerning elections.~~

SECTION 8. IC 35-52-3-56 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 56. IC 3-14-3-13 defines a crime concerning voting.~~

SECTION 9. IC 35-52-3-71 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 71. IC 3-14-4-4 defines a crime concerning elections.~~ SECTION 10. IC 35-52-3-72 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 72. IC 3-14-4-6 defines a crime concerning elections."~~

Renumber all SECTIONS consecutively.

(Reference is to ESB 425 as printed March 24, 2017.)

DVORAK

Motion prevailed. The bill was ordered engrossed.

Representative Speedy, who had been present, is now excused.

Engrossed Senate Bill 515

Representative T. Brown called down House Bill 515 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 515-3)

Mr. Speaker: I move that House Bill 515 be amended to read as follows:

Page 31, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 32. [EFFECTIVE UPON PASSAGE] **(a) The legislative services agency shall do the following:**

(1) Estimate, based on the best information available to the agency, the total amount of adjusted gross income tax revenue and financial institutions tax revenue attributable to interest that taxpayers have:

(A) received on obligations of a state other than Indiana, or a political subdivision of such a state, that the taxpayers acquired after December 31, 2011;

(B) excluded from the federal gross incomes of the taxpayers under Section 103 of the Internal Revenue Code; and

(C) included in the Indiana adjusted gross incomes of the taxpayers under the adjusted gross income law and the financial institutions tax law.

(2) Estimate, based on the best information available to the agency, the amount of the revenue loss to the state that is attributable to:

(A) the reduction after June 30, 2012, and before July 1, 2016, of adjusted gross income tax rates imposed on corporations below eight and five-tenths

percent (8.5%); and
 (B) the reduction after December 31, 2013, and before January 1, 2019, of financial institutions tax rates imposed on financial institutions below eight and five-tenths percent (8.5%).

(3) Determine the net revenue gain or loss represented by the estimates arrived at under subdivisions (1) and (2).

(4) Submit a report to the following before October 1, 2017, in an electronic format under IC 5-14-6 that sets forth the estimates described in subdivisions (1) through (3), along with a description of the methods and data used to arrive at the estimates:

(A) The legislative council.
 (B) The chairpersons and ranking minority members of:

(i) the house committee on ways and means; and
 (ii) the senate committee on tax and fiscal policy.

(C) The interim study committee on fiscal policy established by IC 2-5-1.3-4.

(b) This SECTION expires January 1, 2018.

SECTION 33. [EFFECTIVE UPON PASSAGE] (a) The legislative services agency shall do the following:

(1) Estimate the net financial impact on the revenue of the state during the period from July 1, 2013, through June 30, 2021, that is attributable to the elimination of the inheritance tax in Indiana, based on the best information available to the agency.

(2) Estimate the number of individuals that have maintained, or are expected to maintain, their residencies in Indiana rather than change residency to another state or country during the period from July 1, 2013, through June 30, 2021, because of the elimination of the inheritance tax in Indiana.

(3) Submit a report to the following before October 1, 2017, in an electronic format under IC 5-14-6 that sets forth the estimates described in subdivisions (1) and (2), along with a description of the methods and data used to arrive at those estimates:

(A) The legislative council.
 (B) The chairpersons and ranking minority members of:

(i) the house committee on ways and means; and
 (ii) the senate committee on tax and fiscal policy.

(C) The interim study committee on fiscal policy established by IC 2-5-1.3-4.

(b) This SECTION expires January 1, 2018.

SECTION 34. [EFFECTIVE UPON PASSAGE] (a) The following definitions apply throughout this SECTION:

(1) "C corporation" means a corporation subject to Internal Revenue Code Subtitle A, Chapter 1, Subchapter C (Internal Revenue Code Section 301 et seq.) for federal income tax purposes.

(2) "Listed taxes" has the meaning set forth in IC 6-8.1-1-1.

(3) "Statutory tax relief" means the amount equal to:
 (A) the best estimate of the sum of all listed taxes revenue and property tax revenue that would have been received from C corporations during the period 2011 through 2016 if the Indiana Code in effect on January 1, 2010, were effective throughout the calendar year; minus

(B) the best estimate of the sum of all listed taxes revenue and property tax revenue received from C corporations during the period 2011 through 2016.

(b) The legislative services agency shall conduct a study concerning the correlation between employment growth and the statutory tax relief realized by C corporations during the period 2011 through 2016.

(c) Not later than October 1, 2017, the legislative services agency shall submit a report of the study to the legislative

council, the interim study committee on fiscal policy, and the chairperson and ranking minority member of the house committee on ways and means and the senate committee on tax and fiscal policy. The report to the legislative council must be in an electronic format under IC 5-14-6.

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

Renumber all SECTIONS consecutively.
 (Reference is to ESB 515 as printed March 24, 2017.)

PORTER

Upon request of Representatives Pelath and C. Brown, the Speaker ordered the roll of the House to be called. Roll Call 315: yeas 28, nays 66. Motion failed.

Representative Summers, who had been present, is now excused.

HOUSE MOTION
 (Amendment 515-1)

Mr. Speaker: I move that House Bill 515 be amended to read as follows:

Page 7, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 11. IC 6-2.5-5-51 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 51. (a) As used in this section, "American steel product" means a product that:**

- (1) is produced in the United States; and
- (2) originates from iron ore and taconite mined and processed in the United States.

The term includes steel that is recycled in the United States, if the recycled materials are combined with iron ore and taconite mined and processed in the United States.

(b) As used in this section, "United States" includes any territory, continental or insular, that is subject to the jurisdiction of the United States.

(c) A transaction involving an American steel product is exempt from the state gross retail tax. However, the exemption may not exceed one thousand dollars (\$1,000) of gross retail tax for a particular transaction."

Renumber all SECTIONS consecutively.
 (Reference is to ESB 515 as printed March 24, 2017.)

FORESTAL

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 316: yeas 27, nays 67. Motion failed. The bill was ordered engrossed.

ENGROSSED SENATE BILLS
 ON THIRD READING

Engrossed Senate Bill 413

Representative Lehman called down Engrossed Senate Bill 413 for third reading:

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

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

Roll Call 317: yeas 90, 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 Clerk was directed to inform the Senate of the passage of the bill.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1278 and 1324 on March 27.

OTHER BUSINESS ON THE SPEAKER'S TABLE**Referrals to Ways and Means**

The Speaker announced, pursuant to House Rule 127, that Senate Joint Resolution 7 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representative Schaibley be added as cosponsor of Engrossed Senate Bill 15.

FRIEND

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as cosponsor of Engrossed Senate Bill 59.

FRIZZELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as cosponsor of Engrossed Senate Bill 128.

BRAUN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Shackelford, Porter and Zent be added as cosponsors of Engrossed Senate Bill 175.

KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative GiaQuinta be added as cosponsor of Engrossed Senate Bill 400.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dvorak be added as cosponsor of Engrossed Senate Bill 425.

FRIZZELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Washburne be removed as first sponsor and Representative J. Young be substituted therefor and Representative Washburne be added as cosponsor of Engrossed Senate Bill 479.

WASHBURNE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cook be added as cosponsor of Engrossed Senate Bill 498.

WESCO

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Steuerwald be removed as first sponsor and Representative Kirchhofer be substituted therefor and Representative Steuerwald be added as cosponsor of Engrossed Senate Bill 499.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative DeLaney be added as cosponsor of Engrossed Senate Bill 545.

M. SMITH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as cosponsor of Senate Joint Resolution 7.

T. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Nisly be added as coauthor of House Resolution 41.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Cook and Wright be added as coauthors of House Resolution 39.

MAHAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Engleman, Moed, Kersey, Hatfield and Summers be added as coauthors of House Concurrent Resolution 56.

BAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Richardson be added as coauthor of House Concurrent Resolution 63.

KLINKER

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1278 and 1324 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolution 52 and the same is herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

March 27, 2017

House 581

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 37 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Wolkins, the House adjourned at 6:00 p.m., this twenty-seventh day of March, 2017, until Tuesday, March 28, 2017, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives