



# Journal of the House

State of Indiana

119th General Assembly

Second Regular Session

Thirty-first Day

Tuesday Morning

March 8, 2016

The invocation was offered by Minister Kenneth Allen of First Baptist Church North in Indianapolis, a guest of Representative Vernon G. Smith.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

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

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

Arnold	Kirchhofer
Austin	Klinker <input type="checkbox"/>
Aylesworth	Koch
Bacon <input type="checkbox"/>	Lawson
Baird	Lehe
Bartlett	Lehman
Bauer	Leonard
Behning <input type="checkbox"/>	Lucas
Beumer	Lyness
Borders	Macer
Braun	Mahan
C. Brown <input type="checkbox"/>	Mayfield
T. Brown <input type="checkbox"/>	McNamara
Burton	D. Miller
Carbaugh	Moed
Cherry	Morris
Clere	Morrison
Cook	Moseley
Cox	Negele
Culver <input type="checkbox"/>	Niezgodski
Davisson	Nisly
DeLaney	Ober
Dermody	Olthoff
DeVon <input type="checkbox"/>	Pelath
Dvorak	Pierce
Eberhart	Porter
Ellington	Price
Errington <input type="checkbox"/>	Pryor
Fine	Rhoads <input type="checkbox"/>
Forestal	Richardson
Friend	Riecken
Frizzell <input type="checkbox"/>	Saunders
Frye	Schaibley
GiaQuinta	Shackleford <input type="checkbox"/>
Goodin	Slager
Gutwein	Smaltz
Hale	M. Smith
Hamm	V. Smith
Harman	Soliday
D. Harris	Speedy
Heaton	Stemler
Huston	Steuerwald
Judy	Sullivan
Karickhoff	Summers <input type="checkbox"/>
Kersey	Thompson

Torr  
Truitt  
VanNatter  
Washburne  
Wesco

Wolkins  
Wright  
Zent   
Ziemke  
Mr. Speaker

Roll Call 392: 87 present; 13 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 Wednesday, March 9, 2016, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 70

Representatives Thompson and Goodin introduced House Concurrent Resolution 70:

A CONCURRENT RESOLUTION recognizing Chuck Mayfield on the occasion of his retirement from the Legislative Services Agency.

*Whereas, After 40 years of dedicated service to the citizens of Indiana, Chuck Mayfield is retiring;*

*Whereas, During these 40 years of dedicated service, Chuck has worked for the Legislative Services Agency (LSA) and the State Budget Agency;*

*Whereas, Chuck first came through the doors of the Legislative Services Agency in June 1976, and left the agency for the first time in August 1981;*

*Whereas, From September 1981 through July 1999, Chuck Mayfield worked for the State Budget Agency;*

*Whereas, In July 1999, Chuck realized he missed the camaraderie he had known at the Legislative Services Agency and returned;*

*Whereas, During his time at the LSA, Chuck was recognized as the foremost expert in education funding issues and, particularly, the school funding formula;*

*Whereas, Chuck has also been instrumental in assisting the General Assembly with the school funding formula and providing thousands of schools with runs for at least as many variations of the school funding formula;*

*Whereas, In addition to his work at the LSA, Chuck has been a club and interscholastic soccer referee for many years; and*

*Whereas, Even though Chuck Mayfield will be leaving the LSA for the joys of retirement, where he will have more time to enjoy fine cigars and contribute to the state's gaming economy, he will be greatly missed by all his colleagues at the LSA: 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 thanks Chuck Mayfield for his years of dedicated service to the citizens of Indiana and wishes him a long, happy, and healthy retirement.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Chuck Mayfield 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 Kruse.

Representative V. Smith is excused.

## **ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS**

### **COMMITTEE REPORT**

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.2 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after March 3, 2016; we further recommend that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 17 hours, so that they may be eligible to be placed before the House for action: Engrossed House Bill 1263-1.

TORR, Chair

Report adopted.

### **HOUSE MOTION**

Mr. Speaker: I move that House Rule 161.2 be suspended so that the following conference committee reports are eligible for consideration after March 3, 2016, and that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 17 hours, so that they may be eligible to be placed before the House for action: Engrossed House Bill 1263-1.

TORR, Chair

Motion prevailed.

### **CONFERENCE COMMITTEE REPORT EHB 1263-1**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1263 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 12-15-27-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The use and the disclosure of the information described in this chapter to persons authorized by law in connection with the official duties relating to:

- (1) financial audits;
- (2) legislative investigations; or
- (3) other purposes directly connected with the administration of the plan;

is permitted.

(b) The secretary shall provide to the legislative services agency, in the form and on the schedule specified by the executive director of the legislative services agency, all

information or data described in section 1(1) through 1(4) of this chapter (including, but not limited to, applications, enrollments, claims, and encounters) and any additional information or data concerning a program described in this article or concerning the children's health insurance program established under IC 12-17.6 that is requested by the executive director of the legislative services agency. The legislative services agency:

(1) shall maintain the confidentiality of confidential information or data received under this subsection; and

(2) may use information or data received under this subsection only to estimate the fiscal impact of proposed legislation, prepare program evaluation reports, and forecast enrollment and program costs of the Medicaid program, the healthy Indiana plan, and the children's health insurance program.

(c) Unless:

(1) redaction of an identifier is required under subsection (d); or

(2) the executive director of the legislative services agency requests redaction of an identifier;

from the information or data requested under subsection (b), the information or data received under subsection (a) or (b) must include all identifiers specified in 45 CFR 164.514(b).

(d) Before information or data with names, addresses, or individualized identification numbers of applicants or individuals receiving services under the Medicaid program, the healthy Indiana plan, or the children's health insurance program is provided to the legislative services agency under subsection (a) or (b), the secretary or office shall as soon as practicable after a request provide the information or data to the legislative services agency after:

(1) redacting names, street addresses (other than county and ZIP code information), and individualized identification numbers used in the operation of the Medicaid program, the healthy Indiana plan, or the children's health insurance program; and

(2) generating and substituting for each applicant or individual a unique number that is not used in the Medicaid program, the healthy Indiana plan, or the children's health insurance program but is maintained over time and is useful for longitudinal analysis described in subsection (b).

The system of numbering under subdivision (2) must be approved by the executive director of the legislative services agency.

SECTION 2. IC 25-1-9.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:

#### **Chapter 9.5. Telemedicine Services and Prescriptions**

Sec. 1. (a) This chapter does not prohibit a provider, insurer, or patient from agreeing to an alternative location of the patient or provider to conduct telemedicine.

(b) This chapter does not supersede any other statute concerning a provider who provides health care to a patient.

Sec. 2. As used in this chapter, "distant site" means a site at which a provider is located while providing health care services through telemedicine.

Sec. 3. As used in this chapter, "originating site" means any site at which a patient is located at the time health care services through telemedicine are provided to the individual.

Sec. 4. As used in this chapter, "provider" means any of the following:

(1) A physician licensed under IC 25-22.5.

(2) A physician assistant licensed under IC 25-27.5 and granted the authority to prescribe by the physician assistant's supervisory physician in accordance with IC 25-27.5-5-4.

(3) An advanced practice nurse licensed and granted

the authority to prescribe drugs under IC 25-23.

(4) An optometrist licensed under IC 25-24.

Sec. 5. As used in this chapter, "store and forward" means the transmission of a patient's medical information from an originating site to the provider at a distant site without the patient being present.

Sec. 6. (a) As used in this chapter, "telemedicine" means the delivery of health care services using electronic communications and information technology, including:

- (1) secure videoconferencing;
- (2) interactive audio-using store and forward technology; or
- (3) remote patient monitoring technology;

between a provider in one (1) location and a patient in another location.

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

- (1) Audio-only communication.
- (2) A telephone call.
- (3) Electronic mail.
- (4) An instant messaging conversation.
- (5) Facsimile.
- (6) Internet questionnaire.
- (7) Telephone consultation.
- (8) Internet consultation.

Sec. 7. (a) A provider who provides health care services through telemedicine shall be held to the same standards of appropriate practice as those standards for health care services provided at an in-person setting.

(b) A provider may not use telemedicine, including issuing a prescription, for an individual who is located in Indiana unless a provider-patient relationship between the provider and the individual has been established. A provider who uses telemedicine shall, if such action would otherwise be required in the provision of the same health care services in a manner other than telemedicine, ensure that a proper provider-patient relationship is established. The provider-patient relationship by a provider who uses telemedicine must at a minimum include the following:

(1) Obtain the patient's name and contact information and:

- (A) a verbal statement or other data from the patient identifying the patient's location; and
- (B) to the extent reasonably possible, the identity of the requesting patient.

(2) Disclose the provider's name and disclose whether the provider is a physician, physician assistant, advanced practice nurse, or optometrist.

(3) Obtain informed consent from the patient.

(4) Obtain the patient's medical history and other information necessary to establish a diagnosis.

(5) Discuss with the patient the:

- (A) diagnosis;
- (B) evidence for the diagnosis; and
- (C) risks and benefits of various treatment options, including when it is advisable to seek in-person care.

(6) Create and maintain a medical record for the patient and, subject to the consent of the patient, notify the patient's primary care provider of any prescriptions the provider has written for the patient if the primary care provider's contact information is provided by the patient. The requirements in this subdivision do not apply when the provider is using an electronic health record system that the patient's primary care provider is authorized to access.

(7) Issue proper instructions for appropriate follow-up care.

(8) Provide a telemedicine visit summary to the patient, including information that indicates any prescription that is being prescribed.

Sec. 8. A provider may issue a prescription to a patient

who is receiving services through the use of telemedicine even if the patient has not been seen previously by the provider in person if the following conditions are met:

(1) The provider has satisfied the applicable standard of care in the treatment of the patient.

(2) The issuance of the prescription by the provider is within the provider's scope of practice and certification.

(3) The prescription is not for a controlled substance (as defined in IC 35-48-1-9).

(4) The prescription is not for an abortion inducing drug (as defined in IC 16-18-2-1.6).

(5) The prescription is not for an ophthalmic device, including:

- (A) glasses;
- (B) contact lenses; or
- (C) low vision devices.

Sec. 9. (a) A provider who is physically located outside Indiana is engaged in the provision of health care services in Indiana when the provider:

(1) establishes a provider-patient relationship under this chapter with; or

(2) determines whether to issue a prescription under this chapter for;

an individual who is located in Indiana.

(b) A provider described in subsection (a) may not establish a provider-patient relationship under this chapter with or issue a prescription under this chapter for an individual who is located in Indiana unless the provider and the provider's employer or the provider's contractor, for purposes of providing health care services under this chapter, have certified in writing to the Indiana professional licensing agency, in a manner specified by the Indiana professional licensing agency, that the provider and the provider's employer or provider's contractor agree to be subject to:

(1) the jurisdiction of the courts of law of Indiana; and

(2) Indiana substantive and procedural laws;

concerning any claim asserted against the provider, the provider's employer, or the provider's contractor arising from the provision of health care services under this chapter to an individual who is located in Indiana at the time the health care services were provided. The filing of the certification under this subsection shall constitute a voluntary waiver by the provider, the provider's employer, or the provider's contractor of any respective right to avail themselves of the jurisdiction or laws other than those specified in this subsection concerning the claim. However, a provider that practices predominately in Indiana is not required to file the certification required by this subsection.

(c) A provider shall renew the certification required under subsection (b) at the time the provider renews the provider's license.

(d) A provider's employer or a provider's contractor is required to file the certification required by this section only at the time of initial certification.

Sec. 10. (a) A provider who violates this chapter is subject to disciplinary action under IC 25-1-9.

(b) A provider's employer or a provider's contractor that violates this section commits a Class B infraction for each act in which a certification is not filed as required by section 9 of this chapter.

Sec. 11. A pharmacy does not violate this chapter if the pharmacy fills a prescription for a controlled substance and the pharmacy is unaware that the prescription was written by a provider providing telemedicine services under this chapter.

Sec. 12. The Indiana professional licensing agency may adopt policies or rules under IC 4-22-2 necessary to implement this chapter. Adoption of policies or rules under this section may not delay the implementation and provision

**of telemedicine services under this chapter.**

SECTION 3. IC 25-22.5-2-7, AS AMENDED BY P.L.232-2013, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) The board shall do the following:

(1) Adopt rules and forms necessary to implement this article that concern, but are not limited to, the following areas:

(A) Qualification by education, residence, citizenship, training, and character for admission to an examination for licensure or by endorsement for licensure.

(B) The examination for licensure.

(C) The license or permit.

(D) Fees for examination, permit, licensure, and registration.

(E) Reinstatement of licenses and permits.

(F) Payment of costs in disciplinary proceedings conducted by the board.

(2) Administer oaths in matters relating to the discharge of the board's official duties.

(3) Enforce this article and assign to the personnel of the agency duties as may be necessary in the discharge of the board's duty.

(4) Maintain, through the agency, full and complete records of all applicants for licensure or permit and of all licenses and permits issued.

(5) Make available, upon request, the complete schedule of minimum requirements for licensure or permit.

(6) Issue, at the board's discretion, a temporary permit to an applicant for the interim from the date of application until the next regular meeting of the board.

(7) Issue an unlimited license, a limited license, or a temporary medical permit, depending upon the qualifications of the applicant, to any applicant who successfully fulfills all of the requirements of this article.

(8) Adopt rules establishing standards for the competent practice of medicine, osteopathic medicine, or any other form of practice regulated by a limited license or permit issued under this article.

(9) Adopt rules regarding the appropriate prescribing of Schedule III or Schedule IV controlled substances for the purpose of weight reduction or to control obesity.

(10) Adopt rules establishing standards for office based procedures that require moderate sedation, deep sedation, or general anesthesia.

(11) Adopt rules or protocol establishing the following:

(A) An education program to be used to educate women with high breast density.

(B) Standards for providing an annual screening or diagnostic test for a woman who is at least forty (40) years of age and who has been determined to have high breast density.

As used in this subdivision, "high breast density" means a condition in which there is a greater amount of breast and connective tissue in comparison to fat in the breast.

(12) Adopt rules establishing standards and protocols for the prescribing of controlled substances.

(13) Adopt rules as set forth in IC 25-23.4 concerning the certification of certified direct entry midwives.

(b) The board may adopt rules that establish:

(1) certification requirements for child death pathologists;

(2) an annual training program for child death pathologists under IC 16-35-7-3(b)(2); and

(3) a process to certify a qualified child death pathologist.

**(c) The board may adopt rules under IC 4-22-2 establishing guidelines for the practice of telemedicine in Indiana. Adoption of rules under this subsection may not delay the implementation and provision of telemedicine services by a provider under IC 25-1-9.5.**

SECTION 4. An emergency is declared for this act.

(Reference is to EHB 1263 as reprinted March 1, 2016.)

KIRCHHOFFER

PAT MILLER

AUSTIN

TALLIAN

House Conferees

Senate Conferees

Roll Call 393: yeas 86, nays 0. Report adopted.

**RESOLUTIONS ON FIRST READING**

The Speaker yielded the gavel to the Acting Speaker, Representative Price.

**House Resolution 59**

Representatives Richardson and Bartlett introduced House Resolution 59:

A HOUSE RESOLUTION honoring Representative Randy Truitt.

*Whereas, Representative Randy Truitt, who was first elected to represent the citizens of House District 26 in 2008, will be leaving the House Chamber for the last time at the end of the 2016 legislative session;*

*Whereas, During his time in the House of Representatives, Representative Truitt has served as an integral member of the Local Government Committee, the Government and Regulatory Reform Committee, and the Ways and Means Committee, where he served as the Chairman of the Higher Education Subcommittee;*

*Whereas, Representative Truitt has led the effort in passing several pieces of legislation that benefit thousands of citizens of the State of Indiana and focus on serving families, local businesses, and organizations in his community;*

*Whereas, Representative Truitt is a fourth generation resident of West Lafayette and a graduate of West Lafayette High School and Purdue University;*

*Whereas, In addition to his work at the Statehouse, Representative Truitt served two terms on the West Lafayette City Council where he worked to fulfill the city's obligation to fully fund pensions for city employees, hosted a Tax Increment Financing (TIF) workshop to review the impact of TIF districts, and stabilized the city's tax rate;*

*Whereas, In keeping with his passion to improve his community, Representative Truitt has served in various capacities with Big Brothers and Big Sisters, United Way of Greater Lafayette, the Hills and Dales Neighborhood Association, West Lafayette Little League, Red Storm Athletics, the Joe Tiller Chapter of the National Football Foundation, the West Lafayette High School Alumni Association, the Purdue Alumni Association, the Purdue President's Council, and the John Purdue Club;*

*Whereas, In addition to his volunteering roles, Representative Truitt has helped to raise funds for numerous charities in Greater Lafayette, including the YMCA, the Muscular Dystrophy Association, and the Lafayette Museum of Art;*

*Whereas, Faith is paramount in Representative Truitt's life, and he remains active at the Covenant Presbyterian Church;*

*Whereas, Representative Truitt has positively impacted and assisted numerous Boilermakers (and Hoosiers) in his district;*

*Whereas, Representative Truitt is married to Krista and they are blessed with three children: Peyton, Gabrielle, and Harrison; and*

*Whereas, Representative Randy Truitt has served his constituency loyally and faithfully since his election to the House of Representatives: Therefore,*

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

SECTION 1. That the Indiana House of Representatives bids a fond farewell to Representative Randy Truitt. The House of Representatives has seen only good things during his tenure. Legislators and staff alike will miss him greatly. His departure will leave a void that will never be truly filled.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Randy Truitt and his family.

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

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

Representative Price yielded the gavel to the Acting Speaker, Representative Truitt.

### House Resolution 58

Representatives Richardson and Bartlett introduced House Resolution 58:

A HOUSE RESOLUTION honoring Representative Rhonda Rhoads.

*Whereas, Representative Rhonda Rhoads, who was elected to represent the citizens of House District 70 in 2010, will be leaving the House Chamber for the last time at the end of the 2016 session;*

*Whereas, During her time in the House of Representatives, Representative Rhoads has served on the Courts and Criminal Code Committee, the Family, Children and Human Affairs Committee, and as the vice chairman of the Education Committee;*

*Whereas, Representative Rhoads is active in the Harrison County Farm Bureau, started the first competitive soccer team at North Harrison High School, and coached in the Harrison County Youth soccer program for 12 years;*

*Whereas, Prior to her work at the Statehouse, Representative Rhoads taught kindergarten and second grade at North Harrison Community School for 29 years, was elected to the Harrison County Council in 2000, and served as its vice chairman from 2005 to 2006;*

*Whereas, Representative Rhoads graduated from North Central High School, now known as North Harrison High School, from Freed-Hardeman College with an Associate of Arts degree, from Indiana State University with a Bachelor of Science degree, and from Indiana University with a Master of Science degree;*

*Whereas, Representative Rhoads is married to Les, and they have three children, Derrick, Wendy, and Danette, and two grandchildren: Logan and Ava;*

*Whereas, Representative Rhoads is a devoted member of Old Capitol United Methodist Church in Corydon; and*

*Whereas, Representative Rhonda Rhoads has served her constituency loyally and faithfully since her election to the Indiana House of Representatives: Therefore,*

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

SECTION 1. That the Indiana House of Representatives bids a fond farewell to Representative Rhonda Rhoads. The House of Representatives has seen only good things during her tenure.

Legislators and staff alike will miss her greatly. Her departure will leave a void that will never be truly filled.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Rhonda Rhoads and her family.

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

Representative Truitt yielded the gavel to the Acting Speaker, Representative Rhoads.

### House Resolution 61

Representatives Bartlett and Richardson introduced House Resolution 61:

A HOUSE RESOLUTION honoring Representative David Niezgodski.

*Whereas, Representative David Niezgodski, who was first elected to represent the citizens of House District 7 in 2006, will be leaving the House Chamber for the last time at the end of the 2016 legislative session;*

*Whereas, During his time in the House of Representatives, Representative Niezgodski has served on the Agriculture and Rural Development Committee, the Employment, Labor and Pensions Committee, and the Ways and Means Committee;*

*Whereas, Representative Niezgodski is a member of the St. Joe Valley Plumbing-Heating-Cooling Contractors Association, Inc., the West Side Democratic Club, and the Indiana Association of Plumbing-Heating-Cooling Contractors, serving as president in 2013 to 2014;*

*Whereas, Representative Niezgodski was a member of the St. Joseph County Council from 1998 to 2003, was the 2003-2004 St. Joseph County commissioner, and was the St. Joseph County Democratic Central Committee treasurer from 1998 to 2002;*

*Whereas, Representative Niezgodski is a licensed master plumber and the owner and president of Niezgodski Plumbing, Inc.;*

*Whereas, Representative Niezgodski graduated from LaSalle High School and is a member of St. John the Baptist Church; and*

*Whereas, Representative David Niezgodski has served his constituency loyally and faithfully since his election to the House of Representatives: Therefore,*

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

SECTION 1. That the Indiana House of Representatives bids a fond farewell to Representative David Niezgodski. The House of Representatives has seen only good things during his tenure. Legislators and staff alike will miss him greatly. His departure will leave a void that will never be truly filled.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative David Niezgodski and his family.

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

Representatives Bacon, Behning, DeVon, Errington, Frizzell, Klinker, Shackelford, V. Smith, Summers and Zent, who had been excused, are now present. Representatives Arnold, Dermody, Fine, Huston, Kirchhofer, Moseley, Porter, Slager, Thompson and Ziemke are excused.

The Acting Speaker yielded the gavel to the Speaker.

**CONCURRENT RESOLUTIONS  
ELIGIBLE FOR ADOPTION**

**Senate Concurrent Resolution 18**

The Speaker handed down on its passage Senate Concurrent Resolution 18, sponsored by Representative McNamara:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to place signage east and west bound near Exit 4 on I-64 to identify the Town of New Harmony as a "National Historic Landmark District."

The resolution was read a second time and adopted. Roll Call 394: yeas 86, nays 0. The Clerk was directed to inform the Senate of the passage of the resolution.

**ACTION ON RULES SUSPENSIONS AND  
CONFERENCE COMMITTEE REPORTS**

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.2 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after March 3, 2016; we further recommend that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 16 hours, so that they may be eligible to be placed before the House for action: Engrossed House Bill 1231-1 and Engrossed Senate Bill 324-1.

TORR, Chair

Report adopted.

HOUSE MOTION

Mr. Speaker: I move that House Rule 161.2 be suspended so that the following conference committee reports are eligible for consideration after March 3, 2016, and that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 16 hours, so that they may be eligible to be placed before the House for action: Engrossed House Bill 1231-1 and Engrossed Senate Bill 324-1.

TORR, Chair

Motion prevailed.

Representatives Arnold, Dermody, Fine, Kirchhofer and Thompson, who had been excused, are now present.

**CONFERENCE COMMITTEE REPORT  
ESB 324-1**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 324 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 16-19-3.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]:

**Chapter 3.5. Construction Permits and Plan Review**

**Sec. 1. As used in this chapter, "applicant" means a person that applies for a construction permit under this chapter.**

**Sec. 2. As used in this chapter, "application" means an application for a construction permit and any supporting**

**plans and specifications.**

**Sec. 3. As used in this chapter, "division" means the division of fire and building safety established by IC 10-19-7-1.**

**Sec. 4. As used in this chapter, "plan review" means a review of plans for construction, modification, or installation of a project to determine if the plans comply with the state department's rules.**

**Sec. 5. As used in this chapter, "project" means a project:**

- (1) that involves an improvement to real property; and
- (2) for which a construction permit is required to be obtained from the state department before the start of construction, installation, or modification of improvements to the real property.

**The term includes only project types regulated under 410 IAC 6-12.**

**Sec. 6. The state department shall provide notice under this chapter by:**

- (1) first class mail; or
- (2) electronic mail.

**Sec. 7. The state department shall accept an application for a construction permit that is submitted by an applicant by either of the following methods:**

- (1) The applicant may submit an application to the division that is a combined application for:
  - (A) a construction permit under this chapter; and
  - (B) a design release under IC 22-15-3.
- (2) The applicant may submit separate applications for:

- (A) a construction permit to the state department; and
- (B) a design release under IC 22-15-3 to the division.

**Not later than the next business day, the division shall provide a copy of the application submitted under subdivision (1) to the state department to initiate processing of the construction permit under this chapter.**

**Sec. 8. (a) Upon receiving a complete application for a construction permit, the state department shall notify the applicant not later than the next business day of all the following:**

- (1) The assigned project number.
- (2) Instructions on submitting any required documentation.
- (3) The contact information for the person performing the plan review, including any person, entity, or local health department that is delegated a plan review as provided in section 12 of this chapter.

**(b) Not later than thirty (30) business days after the date a complete application is received by the state department, the state department shall:**

- (1) conduct a plan review; and
- (2) notify the applicant that:
  - (A) the plans and specifications have been approved; or
  - (B) a construction permit will not be issued until the applicant submits corrections to the plans or specifications.

**If the plans and specifications are approved, the state department shall issue the construction permit to the applicant not later than the thirty-first business day after the application is received.**

**Sec. 9. If the state department does not notify an applicant under section 8 of this chapter within thirty (30) business days after the application is received:**

- (1) the application is approved as submitted; and
- (2) the state department shall, not later than the thirty-first business day after the date the application is received, provide the construction permit to the applicant.

**Sec. 10. (a) If the state department receives corrections to**

a plan in response to a notice sent under section 8(b)(2)(B) of this chapter, and any time the state department receives corrections to a notice under subdivision (2) thereafter, the state department shall do one (1) of the following:

(1) Not later than ten (10) business days, or fifteen (15) business days if agreed upon by the applicant and the state department, after receiving the corrections, send notice to the applicant that the corrected plans as submitted have been approved for a construction permit. The state department shall, not later than the next business day after the date that notice is sent to the applicant, provide the applicant with a construction permit.

(2) Not later than ten (10) business days, or fifteen (15) business days if agreed upon by the applicant and the state department, after receiving the corrections, send notice to the applicant that a construction permit will not be issued until the applicant submits additional corrections. However, if the applicant does not receive the notice within the period specified in this subdivision:

- (A) the application is approved as submitted; and
- (B) the state department shall, not later than the eleventh or sixteenth business day after the date that the corrections were received by the state department, whichever is applicable, provide the applicant with a construction permit.

(b) A review under this section is limited to:

- (1) the corrections required by the state department under the notice sent under section 8(b)(2)(B) of this chapter or subsection (a)(2); and
- (2) any revisions made to the plan that have not been reviewed, regardless of whether those revisions were requested under section 8(b)(2)(B) of this chapter or subsection (a)(2).

All other parts of a project not directly related to corrections or revisions described in subdivision (1) or (2), including previously completed corrections or revisions that the state department has already accepted, are considered approved for a construction permit and may not be included in subsequent notice requests sent under this section.

Sec. 11. The state department may not deny a construction permit based upon noncompliance or suspected noncompliance with a rule adopted under the authority of the fire prevention and building safety commission established by IC 22-12-2-1.

Sec. 12. (a) The state department may:

- (1) contract with a person to perform the state department's plan review responsibilities under this chapter; or
- (2) refer the plan review to a local health department.

(b) A person, entity, or local health department under subsection (a) that performs a plan review delegated by the state department under this chapter is subject to this chapter to the same extent as the state department. If the person, entity, or local health department fails to meet the required plan review and notification deadlines under this chapter, the state department shall approve the application as submitted and issue the applicant a construction permit.

SECTION 2. IC 16-41-26-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 15. A construction permit issued by the state department for an agricultural labor camp under 410 IAC 6-9 is issued in accordance with IC 16-19-3.5.

SECTION 3. IC 16-41-27-22, AS AMENDED BY P.L.113-2014, SECTION 108, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 22. (a) The construction of a new mobile home community or alteration of an existing mobile home community shall be made only after plans for the proposed construction or alteration have been

forwarded to and approved by the state department in accordance with IC 16-19-3.5.

(b) A public water system may not be constructed or altered in a new or existing mobile home community until plans for the construction or alteration have been forwarded to and approved by the environmental commissioner under rules adopted by the environmental rules board.

(c) A sewage collection and disposal system may not be constructed or altered in a new or existing mobile home community until:

- (1) plans for construction or alteration of the sewage collection system and any septic tank absorption field have been forwarded to and approved by the state department under rules adopted by the state department; and
- (2) plans for construction or alteration of any sewage disposal system other than a septic tank absorption field have been forwarded to and approved by the environmental commissioner under rules adopted by the environmental rules board.

SECTION 4. IC 22-13-2-4.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 4.1. (a) This section applies only to a plan review for a design release performed:

- (1) before construction of a Class 1 structure; and
- (2) to determine compliance with the rules of the commission.

(b) This section does not apply to a plan review for the issuance of a building permit, an improvement permit, a fire protection system permit, or any other permit issued by a state agency or a city, town, or county.

(c) A plan review for a design release must be:

- (1) authorized under IC 22-15-3; and
- (2) performed in compliance with the rules and objective criteria adopted by the commission under IC 22-15-3-1.

(d) If the commission has certified that a city, town, or county is qualified to perform a plan review for a design release under IC 22-15-3, both of the following may perform the plan review for a design release:

- (1) The division of fire and building safety.
- (2) The city, town, or county.

However, only the entity described in subdivision (1) or (2) that performs the initial plan review for a design release may charge a fee for the plan review for a design release. The other entity shall not charge a fee for the plan review for a design release.

SECTION 5. IC 22-13-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The commission shall adopt building rules that allow a person to convert a building or other structure, in whole or in part, from one (1) class of occupancy and use established under the commission's rules to another without complying with all of the commission's rules governing new construction.

(b) The rules adopted under this section must protect the public from significant health hazards and safety hazards.

(c) Subject to subsection (b), the rules must promote the following:

- (1) The preservation of architecturally significant and historically significant parts of buildings and other structures.
- (2) The economically efficient reuse of buildings and other structures.
- (3) The preservation and use of commercial buildings located within:

- (A) the downtown of a local unit; and
- (B) a designated historic district.

Before the effective date of the commission's rules, the commission's policies must promote the preservation and use of commercial buildings as set forth in subdivision (3).

(d) The rules adopted under this section may condition an

exemption upon:

- (1) passing an inspection conducted by the department; and
- (2) paying the fee set under IC 22-12-6-6.

SECTION 6. IC 22-13-5-2, AS AMENDED BY P.L.218-2014, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 2. (a) **Except as provided under subsection (c)**, upon the written request of an interested person, the state building commissioner of the division of fire and building safety shall issue a written interpretation of a building law or a fire safety law not later than ten (10) business days after the date of receiving a request. An interpretation issued by the state building commissioner must be consistent with building laws and fire safety laws enacted by the general assembly or adopted by the commission.

(b) The state building commissioner shall issue a written interpretation of a building law or fire safety law under subsection (a) whether or not the county or municipality has taken any action to enforce the building law or fire safety law.

(c) **If:**

- (1) **an interested person submits a written request to the building commissioner for a written interpretation of a building law or fire safety law applicable to a Class 2 structure; and**
- (2) **the building commissioner is absent and unable to issue a written interpretation within the time specified under subsection (a);**

**the chair of the commission, or, if the chair is absent, the vice chair of the commission, shall issue the written interpretation not later than ten (10) business days after the date of receiving the request.**

SECTION 7. IC 22-15-3-1, AS AMENDED BY P.L.218-2014, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 1. (a) The state building commissioner or a city, town, or county **certified under subsection (d)** shall issue a design release for ~~(1)~~ the construction of a Class 1 structure to an applicant who qualifies under section 2 or 3 of this chapter. ~~and (2)~~

(b) **The state building commissioner shall issue a design release for the fabrication of an industrial building system or mobile structure under section 4 of this chapter.**

(b) The state building commissioner may issue a design release based on a plan review performed by a city, town, or county if:

- (1) the state building commissioner has certified that the city, town, or county is competent; and
- (2) the city, town, or county has adopted the rules of the commission under IC 22-13-2-3.

(c) A design release issued under this chapter expires on the date specified in the rules adopted by the commission.

(d) ~~Not later than July 1, 2015, the commission shall establish objective criteria for certifying the competency of a city, town, or county to perform plan reviews under subsection (b):~~

**(d) The commission may certify a city, town, or county as qualified to issue design releases, if the city, town, or county:**

- (1) **is competent under the commission's objective criteria; and**
- (2) **has adopted the rules of the commission under IC 22-13-2-3.**

(e) A city, town, or county that is certified by the commission under subsection (d) may issue design releases. A design release issued by a certified city, town, or county must be:

- (1) **in accordance with the commission's objective criteria; and**
- (2) **for a construction type for which the city, town, or county is certified.**

**All records held by a certified city, town, or county that pertain to the design release must be submitted to the division to be held in a central repository.**

SECTION 8. IC 22-15-3.2-6, AS ADDED BY P.L.218-2014, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 6. (a) An applicant for a design release shall submit an application meeting the requirements of IC 22-15-3 to the division.

**(b) This subsection applies only to an applicant for a design release for a project listed in 410 IAC 6-12-7 for which the applicant must obtain a construction permit from the state department of health under IC 16-19-3.5. After December 31, 2016, an applicant may submit a combined application to the division that is an application for:**

- (1) **a construction permit under IC 16-19-3.5; and**
- (2) **a design release under this chapter.**

**Not later than the next business day after receiving the combined application, the division shall provide a copy of the application to the state department of health.**

SECTION 9. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "department" means the state department of health established by IC 16-19-1-1.

(b) As used in this SECTION, "division" means the division of fire and building safety established by IC 10-19-7-1.

(c) Not later than December 31, 2016, the department and the division shall do the following:

- (1) Create a combined application form so that a person may concurrently apply for:
  - (A) a design release under IC 22-15-3; and
  - (B) a construction permit under IC 16-19-3.5, as added by this act.

(2) Create, implement, and maintain a process, system, or agreement that enables the division to:

- (A) transfer to the department; or
  - (B) make accessible to the department;
- within one (1) business day of receipt, applications for construction permits and design releases and any relevant data and documents;**

**in accordance with IC 16-19-3.5, as added by this act, and IC 22-15-3.2, as amended by this act.**

(d) **This SECTION expires July 1, 2017.**

SECTION 10. **An emergency is declared for this act.**

(Reference is to ESB 324 as printed February 19, 2016.)

MESSMER	VANNATTER
ARNOLD	STEMLER
Senate Conferees	House Conferees

Roll Call 395: yeas 84, nays 7. Report adopted.

The House recessed until the fall of the gavel.

## RECESS

The House reconvened at 2:20 p.m. with the Speaker in the Chair.

Representative C. Brown, T. Brown, Huston, Moseley, Porter, Slager and Ziemke, who had been excused, are now present. Representatives Bauer Behning, Cook, Lehman, Mahan, Pierce, Soliday, Speedy and Truitt are excused.

## RESOLUTIONS ON FIRST READING

### Senate Concurrent Resolution 24

The Speaker handed down Senate Concurrent Resolution 24, sponsored by Representatives Cox and GiaQuinta:

A CONCURRENT RESOLUTION honoring the undefeated 1975-1976 Indiana University basketball team on the 40<sup>th</sup> anniversary of the team's National Collegiate victory.

*Whereas, The 1975-1976 Indiana University Basketball team is known as the greatest single-season team in the history of college basketball for its 32-0 season and National Division I*



*Men's Basketball Collegiate Championship victory;*

*Whereas, The National College Athletic Association (NCAA), the United States Basketball Writers Association and sports information directors all attest to the historic nature of the team's accomplishments;*

*Whereas, On top of the team's regular season record and national championship win, they finished first in the Big Ten 18-0 and scored an all-game average of 82.13;*

*Whereas, The team was honored by the NCAA for being the All-Time March Madness Team in 2013 at the Final Four in Atlanta;*

*Whereas, The roster of players, coached by the legendary Bob Knight, included Senior Tom Abernethy, Freshman Bob Bender, Junior Kent Benson, Senior Quinn Buckner, Senior Jim Crews, Freshman Scott Eells, Sophomore Mark Haymore, Senior Scott May, Sophomore Wayne Radford, Freshman Jim Roberson, Freshman Rich Valavicius, Senior Bobby Wilkerson, and Sophomore Jim Wisman; and*

*Whereas, For the 40<sup>th</sup> anniversary of the 1975-1976 Hoosiers' national victory, the coach and players should be honored and recognized for their unrivaled accomplishments and Indiana roots: 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 the 1975-1976 Indiana University basketball team 40 years after its national championship and unrivaled, undefeated season record.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the coach and players of the 1975-1976 Indiana University basketball team: Bob Knight, Tom Abernethy, Bob Bender, Kent Benson, Quinn Buckner, Jim Crews, Scott Eells, Mark Haymore, Scott May, Wayne Radford, Jim Roberson, Rich Valavicius, Bobby Wilkerson, and Jim Wisman.

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 Concurrent Resolution 46**

The Speaker handed down Senate Concurrent Resolution 46, sponsored by Representative Cherry:

A CONCURRENT RESOLUTION congratulating New Palestine High School Senior, Chad Red, for his undefeated high school wrestling career and fourth state championship title.

*Whereas, New Palestine High School Senior, Chad Red, finished his undefeated high school wrestling career with a fourth state championship title on February 20, 2016 at Bankers Life Fieldhouse in front of 12,000 spectators;*

*Whereas, Red, who is ranked number one in the nation, downed Evansville Mater Dei's Nick Lee, who is ranked number four in the nation, 6-5 in the 132-pound state championship match;*

*Whereas, The championship victory marked Red's 183<sup>rd</sup> straight win without a loss in his high school wrestling career;*

*Whereas, In his senior year alone, Red had 35 pins, with a 44-0 record (87.5 percent), and an average 35-second pin time;*

*Whereas, Red joins the ranks of two other undefeated high school wrestling careers in Indiana's history: Cathedral High School's Lance Ellis (1985-1989) and Griffith High School's Alex Tsirtsis (2000-2004);*

*Whereas, Chad Red Sr., Red's father and coach, has played*

*a crucial role in helping Red achieve these records in his wrestling career thus far; and*

*Whereas, After high school graduation, Red plans on wrestling in either the 141 or 149 weight classes at the number 11 ranked Nebraska, that signed him to a scholarship: 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 congratulates New Palestine High School Senior Wrestler, Chad Red, for his undefeated high school wrestling career and fourth state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Chad Red.

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 Concurrent Resolution 55**

The Speaker handed down Senate Concurrent Resolution 55, sponsored by Representative Summers:

A CONCURRENT RESOLUTION honoring the Marian University Football Knights for winning the NAIA football championship.

*Whereas, Marian University was founded as Marian College in Indianapolis in 1937 and became Marian University in 2009;*

*Whereas, Marian University serves a student body of more than 2,700 full-time students, both at the undergraduate and graduate levels from across the United States and 14 countries through dedication to excellent teaching and learning in the Franciscan and liberal arts traditions;*

*Whereas, Marian University is committed to developing character strength and leadership skills through athletic excellence;*

*Whereas, Marian University established its football program in 2006;*

*Whereas, The Marian University Football Knights won the 57<sup>th</sup> Annual NAIA Football National Championship, in Rome, Georgia on December 13, 2012. The Knights were also a finalist in the 59<sup>th</sup> Annual NAIA National Championship in Daytona Beach, Florida on December 19, 2014;*

*Whereas, The Marian University Football Knights won the 60<sup>th</sup> Annual NAIA Football National Championship in Daytona Beach, Florida on December 19, 2015; and*

*Whereas, The Marian University Football Knights are led by head coach Mark Henninger, under the direction of Athletic Director Steve Downing, Executive Vice President and Provost Thomas J. Enneking and President Daniel J. Elsener, and with the enthusiastic support of Marian University's student, faculty, staff, alumni, and Board of Trustees and the entire Indianapolis community: 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 honors the Marian University Football Knights for winning the NAIA Football Championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the Marian University Football Knights and to Coach Mark Henninger.

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 Concurrent Resolution 56

The Speaker handed down Senate Concurrent Resolution 56, sponsored by Representatives Pryor and Kirchhofer:

A CONCURRENT RESOLUTION recognizing the NCAA Women's Basketball Final Four and Division II and III National Championships.

*Whereas, The 2016 NCAA Women's Basketball Final Four and Division II and III National Championships will be hosted April 3 -5, 2016, in Indianapolis at Banker's Life Fieldhouse;*

*Whereas, This is the first time all three divisional National Championships have been hosted in the same city, on the same weekend, in the same venue;*

*Whereas, 2016 marks the 35<sup>th</sup> anniversary of the NCAA Women's Basketball Championship;*

*Whereas, The City of Indianapolis has hosted the NCAA Women's Final Four three times as of this year;*

*Whereas, The NCAA National Office is located in the City of Indianapolis;*

*Whereas, members of leadership in the NCAA Women's Final Four are; Anucha Brown, Vice President of Women's Basketball, Tina Krahn, Director of Championships and Alliances, Tracie Hitz, NCAA Director of Championships and Alliances, JoAnn Brouillette, NCAA WFF Co-Chair, Carolene Mays-Medley, NCAA WFF Co-Chair, Karin Sarratt, NCAA WFF Co-Chair, Julie Arnold, Indiana Sports Corp. Sr. Director of NCAA Events and Executive Director of WFF Host Committee, and Ryan Vaughn, Indiana Sports Corp. President; and*

*Whereas, It is fitting that the 2016 NCAA Women's Basketball Final Four and Division II and III National Championships are recognized as the ultimate celebration of women's basketball: 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 the NCAA Women's Basketball Final Four on the occasion of its 35<sup>th</sup> anniversary and recognizes the addition of the Division II and III Women's Basketball National Championships to the weekend as the ultimate celebration of women's basketball.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the NCAA National Office.

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 Concurrent Resolution 57

The Speaker handed down Senate Concurrent Resolution 57, sponsored by Representatives Cherry and Truitt:

A CONCURRENT RESOLUTION congratulating the Lafayette Central Catholic High School Girls Basketball team on winning the 2A State Championship title.

*Whereas, The Lafayette Central Catholic High School Girls Basketball team defeated No. 3 ranked Covenant Christian 56-43 on February 27, 2016 at Bankers Life Fieldhouse in Indianapolis to clinch the 2A State Championship title;*

*Whereas, The win was the third state championship title for the No. 4 ranked Knights and the second consecutive*

*championship title after the team's 1A title win last season;*

*Whereas, The victory was led by Cameron Onken with 21 points and nine rebounds, Libby Bonner with a double-double with 16 points and 13 rebounds, and Lexi Thompson with 12 points and five rebounds;*

*Whereas, The Indiana High School Athletic Association named Lafayette Central Catholic High School Senior Onken as the Class 2A Patricia L. Roy Mental Attitude Award recipient following the championship game;*

*Whereas, This season, Villanova University recruit Onken, was also named a McDonald's All-American nominee and is on the 2016 Indiana Girls Basketball All-Star Ballot; and*

*Whereas, This championship win is the first state title in any sport at the 2A level for Lafayette Central Catholic High School: 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 congratulates the Lafayette Central Catholic High School Girls Basketball team on its 2A State Championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Lafayette Central Catholic High School Principal Neil Wagner, Athletic Director Tim Bordenet, Girls Basketball Coach Craig DeVault, and each member of the girls basketball varsity team.

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.

## ACTION ON CONFERENCE COMMITTEE REPORTS

### CONFERENCE COMMITTEE REPORT EHB 1231-1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1231 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 14-22-2-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 8. (a) This section applies to a hunting season beginning after June 30, 2016, and ending before January 1, 2020.**

**(b) A hunter may use a rifle during the firearms season to hunt deer subject to the following:**

- (1) The use of a rifle is permitted only on privately owned land.**
- (2) The rifle must have a barrel length of at least sixteen (16) inches.**
- (3) The rifle must be chambered for one (1) of the following cartridges:**
  - (A) .243.**
  - (B) .30-30.**
  - (C) .300.**
  - (D) .30-06.**
  - (E) .308.**
- (4) A hunter may not possess more than ten (10) cartridges for the rifle while hunting deer under this**

section.

(5) The rifle must meet any other requirements established by the department.

(c) The use of a full metal jacketed bullet to hunt deer is unlawful.

(d) The department shall report on the impact of the use of rifles to hunt deer under this section to the governor and, in an electronic format under IC 5-14-6, the general assembly before February 15, 2020.

(e) This section expires June 30, 2020.

SECTION 2. IC 14-22-2-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9. (a) This section applies to a hunting season beginning after June 30, 2016.**

(b) Notwithstanding any rule prescribing the minimum length of a handgun cartridge case, a hunter may use a handgun that fires a commercially available bullet of ten (10) millimeters in diameter to hunt deer.

(c) The use of a handgun described in subsection (b) to hunt deer is subject to the rules:

(1) requiring that the handgun conform to the requirements of IC 35-47-1-6;

(2) prescribing the minimum barrel length of the handgun; and

(3) prohibiting the use of full metal jacketed bullets.

(d) The director shall amend any rule necessary to comply with this section.

SECTION 3. An emergency is declared for this act.

(Reference is to EHB 1231 as reprinted March 1, 2016.)

ARNOLD	TOMES
KERSEY	ARNOLD
House Conferees	Senate Conferees

Roll Call 396: yeas 84, nays 5. Report adopted.

A meeting of the Committee on Rules and Legislative Procedures was announced.

The House recessed until the fall of the gavel.

**RECESS**

The House reconvened at 5:40 p.m. with the Speaker in the Chair.

Representatives Bauer, Behning, Cook, Lehman, Mahan, Pierce, Soliday and Speedy, who had been excused, are not present. Representatives C. Brown, T. Brown, Cherry, Dermody, Ellington and VanNatter are excused.

Upon request of Representative Pierce, the Speaker ordered the roll of the House to be called to determine the presence of a quorum. Roll Call 397: 69 present. The Speaker declared a quorum present.

**ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS**

**COMMITTEE REPORT**

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.2 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after March 3, 2016; we further recommend that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 1 hour, so that they may be eligible to be placed before the House for action: Engrossed House Bills 1012-1 and 1233-1 and Engrossed Senate Bills 146-1, 301-1 and 357-1.

TORR, Chair

Report adopted.

**HOUSE MOTION**

Mr. Speaker: I move that House Rule 161.2 be suspended so that the following conference committee reports are eligible for consideration after March 3, 2016, and that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 1 hour, so that they may be eligible to be placed before the House for action: Engrossed House Bills 1012-1 and 1233-1 and Engrossed Senate Bills 146-1, 301-1 and 357-1.

TORR, Chair

Motion prevailed.

**CONFERENCE COMMITTEE REPORT**

EHB 1012-1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1012 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 16-18-2-30.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 30.2. "Autism spectrum disorder", for purposes of IC 16-32-4, has the meaning set forth in IC 16-32-4-1.**

SECTION 2. IC 16-32-4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:

**Chapter 4. Developmental Disability Bracelet and Identification Card**

**Sec. 1. As used in this chapter, "autism spectrum disorder" has the meaning set forth in the most recent edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders.**

**Sec. 2. As used in this chapter, "developmental disability" has the meaning set forth in IC 12-7-2-61.**

**Sec. 3. (a) Upon the request of:**

**(1) an individual who has been medically diagnosed with a developmental disability, including autism spectrum disorder;**

**(2) the parent or guardian acting on behalf of an individual who is described in subdivision (1) and is a minor; or**

**(3) the parent or guardian acting on behalf of an individual who is described in subdivision (1) and is an incapacitated person (as defined in IC 29-3-1-7.5);**

the state department shall issue a bracelet or an identification card indicating that the individual has been medically diagnosed with a developmental disability. An individual described in this subsection may request, and the state department shall issue, both a bracelet and the identification card.

**(b) The:**

**(1) bracelet or identification card issued under this chapter; and**

**(2) individual's driver's license (as defined in IC 9-28-2-4) or identification card (as defined in IC 9-13-2-74.5);**

may be presented to a law enforcement officer, as necessary.

**(c) The state department shall adopt rules under IC 4-22-2 concerning the information that must be submitted to obtain a bracelet or an identification card under subsection (a).**

**Sec. 4. (a) The state department may charge a reasonable fee, as determined by the state department, for a bracelet and an identification card issued under this chapter.**

**(b) The state department shall adopt rules under IC 4-22-2 concerning the information that appears on a bracelet or an identification card, including information that identifies an individual's specific developmental disability.**

**Sec. 5. (a) Except as provided in subsection (c), information collected under this chapter:**

- (1) is confidential; and**  
**(2) is exempt from disclosure.**

**(b) Information collected under this chapter may not be released under a subpoena, search warrant, or any civil discovery proceedings.**

**(c) A court, acting on a pleading or motion, may issue an order directing the release of specific information collected under this chapter after all the following have occurred:**

**(1) The person requesting the court order has sent the state department a pleading or motion:**

**(A) stating that an emergency exists and that the information cannot be collected through any other means; and**

**(B) requesting that the information be released.**

**(2) The state department has been allowed to respond to the pleading or motion requesting the release of information.**

**(3) The court has conducted an in camera review of the requested information.**

**(4) After considering the response of the state department and reviewing the information submitted to the court, the court finds by clear and convincing evidence that:**

**(A) an emergency exists and that the information cannot be collected through any other means; and**

**(B) the reasons for ordering release of the information outweigh the reasons for not disclosing the information.**

**(d) This section shall be construed liberally to protect the confidentiality and prevent the disclosure of the information collected by the state department under this chapter.**

(Reference is to EHB 1012 as reprinted February 23, 2016.)

KOCH	BECKER
C. BROWN	ROGERS
House Conferees	Senate Conferees

Roll Call 398: yeas 91, nays 0. Report adopted.

Representatives C. Brown, Dermody and VanNatter, who had been excused, are now present. Representative Lehman is excused.

CONFERENCE COMMITTEE REPORT  
EHB 1233-1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1233 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Page 3, line 24, delete "consult with" and insert "**seek direction from**".

Page 3, line 28, delete "consultation." and insert "**seeking direction**".

(Reference is to EHB 1233 as printed February 19, 2016.)

OLTHOFF	CRIDER
HALE	BRODEN
House Conferees	Senate Conferees

Roll Call 399: yeas 93, nays 0. Report adopted.

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

CONFERENCE COMMITTEE REPORT  
ESB 146-1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 146 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete the title and insert the following:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 34-13-3-2, AS AMENDED BY P.L.145-2011, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011 (RETROACTIVE)]:  
 Sec. 2. This chapter applies to a claim or suit in tort against any of the following:

(1) A member of the bureau of motor vehicles commission established under IC 9-15-1-1.

(2) An employee of the bureau of motor vehicles commission who is employed at a license branch under IC 9-16, except for an employee employed at a license branch operated under a contract with the commission under IC 9-16.

(3) A member of the driver education advisory board established by IC 9-27-6-5.

**(4) An approved postsecondary educational institution (as defined in IC 21-7-13-6(a)(1)), or an association acting on behalf of an approved postsecondary educational institution, that:**

**(A) shares data with the commission for higher education under IC 21-12-12-1; and**

**(B) is named as a defendant in a claim or suit in tort based on any breach of the confidentiality of the data that occurs after the institution has transmitted the data in compliance with IC 21-12-12-1.**

SECTION 2. IC 34-13-3-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011 (RETROACTIVE)]: **Sec. 2.5. The addition of section 2(4) of this chapter by SEA 146-2016, SECTION 1, does not apply to a claim or suit in tort against a postsecondary educational institution if filed before March 30, 2016.**

SECTION 3. **An emergency is declared for this act.**

(Reference is to ESB 146 as reprinted March 3, 2016.)

CHARBONNEAU	FRIEND
TAYLOR	C. BROWN
Senate Conferees	House Conferees

Roll Call 400: yeas 94, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT  
ESB 301-1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 301 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-19-6-7, AS ADDED BY P.L.53-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. ~~(a) This section applies after December 31, 2013.~~

~~(b)~~ **(a)** A council may develop an alternative career, technical, or vocational educational curriculum for high school students in its region in order to **do either of the following**:

**(1)** Offer those students opportunities to:

~~(1)~~ **(A)** pursue internships and apprenticeships;

~~(2)~~ **(B)** learn from qualified instructors; and

~~(3)~~ **(C)** have a goal of:

~~(A)~~ **(i)** earning an industry certification;

~~(B)~~ **(ii)** earning credits toward an associate degree;

or

~~(C)~~ **(iii)** establishing a career pathway toward a high wage, high demand job that is available in the region.

**(2) Provide a career, technical, or vocational educational curriculum that is aligned with the workforce needs and training and education requirements of the region identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10.**

~~(b)~~ **(b)** Before an alternative curriculum developed under subsection ~~(b)~~ **(a)** may be offered, the state board shall approve the alternative curriculum.

SECTION 2. IC 20-20-38-4, AS AMENDED BY P.L.107-2012, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The state board shall develop and implement a long range state plan for a comprehensive secondary level career and technical education program in Indiana.

(b) The plan developed under this section must be updated as changes occur. The state board shall make the plan and any revisions made to the plan available to:

(1) the governor;

(2) the general assembly;

(3) the department of workforce development;

(4) the commission for higher education;

(5) the council;

(6) the state workforce innovation council;

(7) the board for proprietary education; and

(8) any other appropriate state or federal agency.

A plan or revised plan submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.

(c) The plan developed under this section must set forth specific goals for secondary level public career and technical education and must include the following:

(1) The preparation of each graduate for both employment and further education.

(2) Accessibility of career and technical education to individuals of all ages who desire to explore and learn for economic and personal growth.

(3) Projected employment opportunities in various career and technical education fields.

(4) A study of the supply of and the demand for a labor force skilled in particular career and technical education areas.

(5) A study of technological and economic change affecting Indiana.

(6) An analysis of the private career and education sector in Indiana.

(7) Recommendations for improvement in the state career and technical education program.

(8) The educational levels expected of career and

technical education programs proposed to meet the projected employment needs.

**(d) When making any revisions to the plan, the state board shall consider the workforce needs and training and education needs identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10.**

SECTION 3. IC 20-24-8-5, AS AMENDED BY P.L.221-2015, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. The following statutes and rules and guidelines adopted under the following statutes apply to a charter school:

(1) IC 5-11-1-9 (required audits by the state board of accounts).

(2) IC 20-39-1-1 (unified accounting system).

(3) IC 20-35 (special education).

(4) IC 20-26-5-10 (criminal history).

(5) IC 20-26-5-6 (subject to laws requiring regulation by state agencies).

(6) IC 20-28-10-12 (nondiscrimination for teacher marital status).

(7) IC 20-28-10-14 (teacher freedom of association).

(8) IC 20-28-10-17 (school counselor immunity).

(9) For conversion charter schools only if the conversion charter school elects to collectively bargain under IC 20-24-6-3(b), IC 20-28-6, IC 20-28-7.5, IC 20-28-8, IC 20-28-9, and IC 20-28-10.

(10) IC 20-33-2 (compulsory school attendance).

(11) IC 20-33-3 (limitations on employment of children).

(12) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student due process and judicial review).

(13) IC 20-33-8-16 (firearms and deadly weapons).

(14) IC 20-34-3 (health and safety measures).

(15) IC 20-33-9 (reporting of student violations of law).

(16) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances).

(17) IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-8, and IC 20-32-8.5, as provided in IC 20-32-8.5-2(b) (academic standards, accreditation, assessment, and remediation).

(18) IC 20-33-7 (parental access to education records).

(19) IC 20-31 (accountability for school performance and improvement).

(20) IC 20-30-5-19 (personal financial responsibility instruction).

**(21) IC 20-26-5-37.3, before its expiration (career and technical education reporting).**

SECTION 4. IC 20-26-5-37.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 37.3. (a) Before November 1 of each year, the department and the department of workforce development shall prepare a report containing the following information for each high school and each school corporation for the immediately preceding school year:**

**(1) Career and technical education courses available to the students attending the high school.**

**(2) The number of students enrolled in each course, by grade level.**

**(3) The number of students successfully completing each course.**

**(4) The number of students who:**

**(A) successfully completed a career and technical education course sequence; and**

**(B) obtained employment in the career or technical field for which the student successfully completed a course sequence.**

**(b) The report under subsection (a) must be submitted in the format agreed to by the department and the department of workforce development.**

**(c) This section expires July 1, 2020.**

SECTION 5. IC 21-18-9-2, AS ADDED BY P.L.2-2007, SECTION 259, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The commission may:

- (1) review all programs of any state educational institution, regardless of the source of funding; and
- (2) make recommendations to the board of trustees of the state educational institution, the governor, and the general assembly concerning the funding and the disposition of the programs.

**(b) The commission, in consultation with the department of workforce development, shall develop and recommend funding amounts and performance metrics that reward workforce training programs under IC 21-41-5-3(b) and that are not included in the postsecondary performance funding formula. Ivy Tech Community College shall assist the commission, and the department of workforce development shall provide the data necessary for the commission to develop these funding amounts and performance metrics. Funding amounts and performance metrics recommended under this subsection must be aligned with the workforce needs and training and education needs identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10. This subsection expires July 1, 2020.**

SECTION 6. IC 21-38-3-6, AS ADDED BY P.L.2-2007, SECTION 279, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. (a) The board of trustees of Ivy Tech Community College shall select and employ a president of the state educational institution, with qualifications set out, and other staff and professional employees as are required.

**(b) This subsection expires July 1, 2020. The president shall select and employ two (2) vice presidents, one (1) for each of the following, subject to confirmation by the board of trustees:**

- (1) One (1) whose focus is on programs and pathways designed to meet workforce and employer demand.**
- (2) One (1) whose focus is on academics and transferability of program and pathway credits.**

**The president shall ensure alignment between the activities managed by each vice president.**

SECTION 7. IC 21-41-5-3, AS ADDED BY P.L.2-2007, SECTION 282, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) It is the primary purpose of Ivy Tech Community College to provide educational opportunities and appropriate workforce development, assessment, and training services to:

- (1) employees of employers whose productivity and competitiveness will be enhanced by targeted employee education and training courses and programs delivered in the employer's workplace;
- (2) students who require additional education before enrolling in college level courses at either a two (2) year or a four (4) year institution;
- (3) individuals who have graduated from high school and are more interested in continuing their education in a general, liberal arts, occupational, or technical program at a two (2) year, nonresidential college;
- (4) individuals who have graduated from high school and want to earn credits that will transfer to a four (4) year college;
- (5) students who do not complete work at a four (4) year college or who are referred by a four (4) year college to Ivy Tech Community College;
- (6) students who complete their work at a four (4) year college but would like to supplement that education to improve existing skills or acquire new skills; and
- (7) adult workers who need and desire retraining or additional training of an occupational or technical nature

for the workplace.

**(b) The board of trustees of Ivy Tech Community College shall establish an administrative structure for Ivy Tech Community College that provides the support necessary for:**

- (1) workforce training programs, including programs designed for the direct entry of individuals into the workforce; and**
- (2) programs to enhance the skills of workers.**

SECTION 8. IC 21-41-5-8, AS ADDED BY P.L.169-2007, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Subject to IC 21-22-6-10, the board of trustees of Ivy Tech Community College may develop and adopt the appropriate education programs to be offered and workforce services to be provided.

**(b) The board of trustees of Ivy Tech Community College shall do the following in its development and adoption of programs leading to a certificate and for workforce training programs:**

- (1) Consider findings and recommendations concerning workforce needs and training and education needs that are submitted by advisory committees under section 14 of this chapter.**
- (2) Obtain and consider comments and input from Indiana employers and employer organizations.**
- (3) Ensure that the programs are aligned with the primary purposes of Ivy Tech Community College that are specified in section 3 of this chapter.**

SECTION 9. IC 21-41-5-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) Not later than ninety (90) days after receiving the data provided under IC 22-4.1-4-13, Ivy Tech Community College shall report to the department of workforce development the following information for the statewide system and each region established under IC 21-22-6-1 for the immediately preceding academic year:

- (1) Certificate programs available that are linked to industry recognized third party certifications.**
- (2) The number of students enrolled in each certificate program.**
- (3) The number of students successfully completing each certificate program.**
- (4) To the extent a campus has access to the information, the number of students who:**
  - (A) successfully completed a certificate program sequence; and**
  - (B) obtained employment in the field for which the student successfully completed a certificate program sequence.**

**The report under this subsection must be submitted in the format required by the department of workforce development.**

**(b) Not later than ninety (90) days after receiving the data provided under IC 22-4.1-4-13, Ivy Tech Community College shall report the following information to the commission for higher education, the department of workforce development, and the legislative council (in an electronic format under IC 5-14-6):**

- (1) A list of programs that have been identified as having either:**
  - (A) insufficient student demand;**
  - (B) insufficient employer demand; or**
  - (C) insufficient graduation or transfer rates;****as determined by the commission for higher education in the review under IC 21-18-9-10.5.**
- (2) For each of the programs described in subdivision (1), information concerning whether the program will be eliminated, restructured, or placed on an improvement plan or whether no action will be taken regarding the program.**
- (3) The status of system-wide restructuring of student**

support services recommended by the commission under IC 21-18-9-10.5(b)(1).

(4) A target date for the development of courses and programs identified under IC 22-4.1-4-12 as being required to meet the workforce needs in one (1) or more regions designated under IC 20-19-6-3.

(5) Information concerning whether the resources available to Ivy Tech Community College are sufficient to comply with IC 21-18-9-10.5 and section 8 of this chapter.

(c) This section expires July 1, 2020.

SECTION 10. IC 21-41-5-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: **Sec. 13. (a) The president of Ivy Tech Community College shall, before October 1 of each year, report to the governor, the budget committee, and the legislative council (in an electronic format under IC 5-14-6) concerning progress in the efforts to align career and technical education courses and programs and certification courses and programs with the workforce needs and educational requirements within each region designated under IC 20-19-6-3.**

(b) This section expires July 1, 2020.

SECTION 11. IC 21-41-5-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 14. (a) The commissioner of the department of workforce development or the commissioner's designee shall be a member of each program advisory committee established by Ivy Tech Community College.**

(b) Each program advisory committee established by Ivy Tech Community College shall do the following:

(1) Consider the workforce needs and training and education needs identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10.

(2) Submit to the board of trustees of Ivy Tech Community College at a public meeting any findings or recommendations of the advisory committee concerning those workforce needs and training and education needs.

(c) This section expires July 1, 2020.

SECTION 12. IC 21-41-5-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 15. Before November 1, 2016, and each November 1 thereafter, Ivy Tech Community College shall provide the budget committee the following information for each of Ivy Tech Community College's owned or operated campus locations or sites that offer ongoing academic programs and services:**

(1) The number of students enrolled.

(2) The amount of square feet of each building.

(3) The operating or overhead costs associated with the campus location or site.

SECTION 13. IC 22-4.1-4-9, AS ADDED BY P.L.69-2015, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9. (a) Before December 1 of each year, the department shall provide the department of education (established by IC 20-19-3-1) with a report, to be used to determine career and technical education grant amounts in the state fiscal year beginning after the year in which the report is provided, listing whether the labor market demand for each generally recognized labor category is more than moderate, moderate, or less than moderate. In the report, the department shall categorize each of the career and technical education programs using the following four (4) categories:**

(1) Programs that address employment demand for individuals in labor market categories that are projected to need more than a moderate number of individuals.

(2) Programs that address employment demand for

individuals in labor market categories that are projected to need a moderate number of individuals.

(3) Programs that address employment demand for individuals in labor market categories that are projected to need less than a moderate number of individuals.

(4) All programs not covered by the employment demand categories of subdivisions (1) through (3).

(b) Before December 1 of each year, the department shall provide the department of education with a report, to be used to determine grant amounts that will be distributed under IC 20-43-8 in the state fiscal year beginning after the year in which the report is provided, listing whether the average wage level for each generally recognized labor category for which career and technical education programs are offered is a high wage, a moderate wage, or a less than moderate wage.

(c) In preparing the labor market demand report under subsection (a) and the average wage level report under subsection (b), the department shall **do the following:**

(1) If possible, list the labor market demand and the average wage level for specific regions, counties, and municipalities.

(2) Consider the information included in the occupational demand report prepared by the department under section 10 of this chapter.

(d) If a new career and technical education program is created by rule of the state board of education, the department shall determine the category in which the program should be included.

SECTION 14. IC 22-4.1-4-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 10. (a) The department shall prepare an occupational demand report regarding:**

(1) the expected workforce needs of Indiana employers for a ten (10) year projection; and

(2) the training and education that will be required to meet those expected workforce needs.

The department shall categorize these workforce needs and training and education requirements by job classification or generally recognized labor categories on a statewide basis and also for each region designated under the WIOA.

(b) In preparing the report under subsection (a), the department shall consult with the following:

(1) The commission for higher education.

(2) Ivy Tech Community College.

(3) Each Indiana works council established under IC 20-19-6-4.

(4) Employers and employer organizations.

(5) Labor organizations.

(c) The department shall submit the report under subsection (a) to the governor, the budget committee, the legislative council (in an electronic format under IC 5-14-6), the commission for higher education, the board of trustees of Ivy Tech Community College, the department of education, the state board of education before July 1, 2016, and each regional or campus advisory committee established by Ivy Tech Community College.

(d) This section expires July 1, 2020.

SECTION 15. IC 22-4.1-4-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 11. (a) The department, with the assistance of the commission for higher education, Ivy Tech Community College, and local workforce development boards, shall do the following for each region designated under the WIOA:**

(1) Use the information provided by school corporations under IC 20-26-5-37.3 and by Ivy Tech Community College under IC 21-41-5-12 to prepare an inventory of:

(A) the career and technical education courses

available to the students attending high school in the region; and

(B) the certification courses provided by Ivy Tech Community College campuses in the region.

(2) Use:

(A) the information included in the occupational demand report prepared by the department under section 10 of this chapter concerning workforce needs and training and education requirements; and

(B) any other information considered appropriate by the department;

to identify any gaps or imbalances between the career and technical education courses and certification courses offered in the region and the workforce needs and training and education needs in the region.

(b) This section expires July 1, 2020.

SECTION 16. IC 22-4.1-4-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 12. (a)** The department, with the assistance of the commission for higher education, the department of education, Ivy Tech Community College, and local workforce development boards, shall annually do the following:

(1) Use:

(A) the information concerning workforce needs and training and education requirements of the region identified in the occupational demand report under section 10 of this chapter; and

(B) the information under section 11 of this chapter concerning gaps or imbalances between the courses offered in the region and the workforce needs and training and education needs in the region;

to develop recommendations concerning the career and technical education courses, including dual credit courses, and courses leading to a certification that should be offered at high schools within each region designated under the WIOA.

(2) Report to the budget committee before January 1 of each year concerning the recommendations.

(3) Report the recommendations to the board of trustees, administration, and faculty of Ivy Tech Community College at a meeting scheduled by the board of trustees of Ivy Tech Community College.

(b) This section expires July 1, 2020.

SECTION 17. IC 22-4.1-4-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 13. (a)** Not later than July 1, 2016, the department, in consultation with the commission for higher education, the department of state revenue, and the Ivy Tech Community College board of trustees, shall develop a procedure for measuring the following for credential or degree completers and separately for current or previously enrolled students of Ivy Tech Community College:

(1) The percentage of credential or degree completers or students employed within one (1) year of graduation or separation.

(2) The median, minimum, and maximum starting salary of graduates or students within one (1) year of completion or separation.

(3) The median, minimum, and maximum starting salary of graduates or students within five (5) years of completion or separation.

(b) The information described in subsection (a) shall be measured separately for each academic program offered within an Ivy Tech Community College region, including associate degrees, certificates, and other established programs granting workforce credentials.

(c) The information described in subsection (a) shall separately consider transfer students and nontransfer

students.

(d) Not later than October 1 of 2016 and every year thereafter, the department shall provide to Ivy Tech Community College any data necessary for the calculation of the measurements described in subsection (a).

(e) Not later than October 1 of 2016 and every year thereafter, the department shall provide to the commission for higher education any data necessary for the commission to establish and calculate a labor market outcomes metric for inclusion in the postsecondary performance funding formula.

(f) The providing of data under this section is not a violation of the confidentiality provisions of IC 22-4-19-6(b).

SECTION 18. IC 22-4.5-9-4, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2016 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4. (a)** The council shall do all of the following:

(1) Provide coordination to align the various participants in the state's education, job skills development, and career training system.

(2) Match the education and skills training provided by the state's education, job skills development, and career training system with the currently existing and future needs of the state's job market. **In carrying out its duties under this subdivision, the council must consider the workforce needs and training and education requirements identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10.**

(3) In addition to the department's annual report provided under ~~IC 22-4.5-9-4~~, **IC 22-4.1-4-8**, submit, not later than August 1, 2013, and not later than ~~November~~ **December** 1 each year thereafter, to the legislative council in an electronic format under IC 5-14-6 an inventory of current job and career training activities conducted by:

(A) state and local agencies; and

(B) whenever the information is readily available, private groups, associations, and other participants in the state's education, job skills development, and career training system.

The inventory must provide at least the information listed in ~~IC 22-4.1-9-4(a)(1)~~ **IC 22-4.1-4-8(a)(1)** through ~~IC 22-4.1-9-4(a)(5)~~ **IC 22-4.1-4-8(a)(5)** for each activity in the inventory.

(4) Submit, not later than July 1, 2014, to the legislative council in an electronic format under IC 5-14-6 a strategic plan to improve the state's education, job skills development, and career training system. The council shall submit, not later than December 1, 2013, to the legislative council in an electronic format under IC 5-14-6 a progress report concerning the development of the strategic plan. The strategic plan developed under this subdivision must include at least the following:

(A) Proposed changes, including recommended legislation and rules, to increase coordination, data sharing, and communication among the state, local, and private agencies, groups, and associations that are involved in education, job skills development, and career training.

(B) Proposed changes to make Indiana a leader in employment opportunities related to the fields of science, technology, engineering, and mathematics (commonly known as STEM).

(C) Proposed changes to address both:

(i) the shortage of qualified workers for current employment opportunities; and

(ii) the shortage of employment opportunities for individuals with a baccalaureate or more advanced degree.



(5) Complete, not later than August 1, 2014, a return on investment and utilization study of career and technical education programs in Indiana. The study conducted under this subdivision must include at least the following:

(A) An examination of Indiana's career and technical education programs to determine:

- (i) the use of the programs; and
- (ii) the impact of the programs on college and career readiness, employment, and economic opportunity.

(B) A survey of the use of secondary, college, and university facilities, equipment, and faculty by career and technical education programs.

(C) Recommendations concerning how career and technical education programs:

- (i) give a preference for courses leading to employment in high wage, high demand jobs; and
- (ii) add performance based funding to ensure greater competitiveness among program providers and to increase completion of industry recognized credentials and dual credit courses that lead directly to employment or postsecondary study.

(6) Coordinate the performance of its duties under this chapter with the Indiana works councils established by IC 20-19-6-4.

(b) In performing its duties, the council shall obtain input from the following:

- (1) Indiana employers and employer organizations.
- (2) Public and private institutions of higher education.
- (3) Regional and local economic development organizations.
- (4) Indiana labor organizations.
- (5) Individuals with expertise in career and technical education.
- (6) Military and veterans organizations.
- (7) Organizations representing women, African-Americans, Latinos, and other significant minority populations and having an interest in issues of particular concern to these populations.
- (8) Individuals and organizations with expertise in the logistics industry.
- (9) Any other person or organization that a majority of the voting members of the council determines has information that is important for the council to consider.

**SECTION 19. An emergency is declared for this act.**

(Reference is to ESB 301 as reprinted March 2, 2016.)

KENLEY	HUSTON
TALLIAN	GOODIN
Senate Conferees	House Conferees

Roll Call 401: yeas 93, nays 1. Report adopted.

**CONFERENCE COMMITTEE REPORT  
ESB 357-1**

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 357 respectfully reports that said two committees have conferred and agreed as follows to wit:

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

Delete everything after the enacting clause and insert the following:

**SECTION 1. IC 5-2-22 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:**

**Chapter 22. Child Abuse Registry**

**Sec. 1. The following definitions apply throughout this chapter:**

**(1) "Crime of child abuse" means:**

**(A) neglect of a dependent (IC 35-46-1-4) if the dependent is a child and the offense is committed under:**

- (i) IC 35-46-1-4(a)(1);
- (ii) IC 35-46-1-4(a)(2); or
- (iii) IC 35-46-1-4(a)(3);

**(B) child selling (IC 35-46-1-4(d));**

**(C) a sex offense (as defined in IC 11-8-8-5.2) committed against a child; or**

**(D) battery against a child under:**

- (i) IC 35-42-2-1(d)(3) (battery on a child);
- (ii) IC 35-42-2-1(f)(5)(B) (battery causing bodily injury to a child);
- (iii) IC 35-42-2-1(i) (battery causing serious bodily injury to a child); or
- (iv) IC 35-42-2-1(j) (battery resulting in the death of a child).

**(2) "Division" refers to the division of state court administration created under IC 33-24-6-1(b)(2).**

**(3) "Registry" means the child abuse registry established under section 2 of this chapter.**

**Sec. 2. Not later than July 1, 2017, the division shall establish and maintain a child abuse registry.**

**Sec. 3. The registry must contain:**

- (1) the name;**
- (2) the age;**
- (3) the last known city of residence;**
- (4) a photograph, if available;**
- (5) a description of the crime of child abuse conviction; and**
- (6) any other identifying information, as determined by the division;**

**of every person convicted of a crime of child abuse.**

**Sec. 4. (a) The division shall publish the registry on the division's Internet web site. The registry must be searchable and available to the public.**

**(b) The division shall ensure that the registry is updated at least one (1) time every thirty (30) days.**

**(c) The division shall ensure that the registry displays the following or similar words:**

**"Based on information submitted to law enforcement, a person whose name appears in this registry has been convicted of a crime of child abuse. However, information on the registry may not be complete."**

(Reference is to ESB 357 as reprinted March 3, 2016.)

YODER	MORRIS
TAYLOR	RIECKEN
Senate Conferees	House Conferees

Roll Call 402: yeas 94, nays 0. Report adopted.

**MOTIONS TO CONCUR  
IN SENATE AMENDMENTS**

**HOUSE MOTION**

Mr. Speaker: I move that the House reconsider its actions whereby it dissented from the Senate amendments to Engrossed House Bill 1353 and that the House now concur in the Senate amendments to said bill.

KARICKHOFF

Roll Call 403: yeas 94, nays 0. Motion prevailed.

**OTHER BUSINESS ON THE SPEAKER'S TABLE**

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has sustained the veto of the Governor on Senate Enrolled Act 369 (2015).

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 President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1322:

Conferees: Steele and Broden

Advisors: Bray, Randolph

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 President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1394:

Conferees: Pete Miller and Stoops

Advisors: Kruse, Mrvan, Yoder

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 adopted Conference Committee Report 1 on Engrossed House Bill 1263.

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 concurred in the House amendments to Engrossed Senate Bills 28, 214, 305 and 355.

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 adopted Conference Committee Report 1 on Engrossed Senate Bill 324.

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 Resolutions 51, 65, 68 and 69 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 Senate Concurrent Resolutions 24, 46, 55, 56 and 57 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

A meeting of the Committee on Rules and Legislative Procedures was announced.

On the motion of Representative Ziemke, the House adjourned at 6:00 p.m., this eighth day of March, 2016, until Wednesday, March 9, 2016, at 10:00 a.m.

BRIAN C. BOSMA  
Speaker of the House of Representatives

M. CAROLINE SPOTTS  
Principal Clerk of the House of Representatives