



Journal of the House

State of Indiana

119th General Assembly

First Regular Session

Forty-seventh Day

Tuesday Afternoon

April 21, 2015

The invocation was offered by Pastor Tony McGee of Zion Hope Church in Indianapolis, a guest of Representative John L. Bartlett.

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

The Pledge of Allegiance to the Flag was led by Representative John L. Bartlett.

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

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

Truitt
Ubelhor
VanNatter
Washburne
Wesco

Wolkins
Wright
Zent
Ziemke
Mr. Speaker

Roll Call 508: 96 present; 4 excused. The Speaker announced a quorum in attendance. [NOTE: indicates those who were excused.]

RESOLUTIONS ON FIRST READING

House Resolution 51

Representatives Cherry, Friend, Lehe, Baird, Klinker and Goodin introduced House Resolution 51:

A HOUSE RESOLUTION congratulating Kenneth R. Torr on his induction into the Livestock Marketeers Hall of Fame.

Whereas, In recognition of his outstanding accomplishments and success in the field of livestock auctioneering, Ken Torr was inducted into the Livestock Marketeers Hall of Fame on January 17, 2015, at the National Western Club in Denver, Colorado;

Whereas, The Livestock Marketeers were created in 1965 by three leaders in the industry, Harry Green, Ross Miller, and Claud Willett, as an informal fraternity of livestock fieldmen, auctioneers, sale managers, and related livestock business leaders;

Whereas, The Hall of Fame was created to recognize outstanding individuals at an annual banquet held in conjunction with the National Western Stock Show;

Whereas, Ken Torr began his auction career in 1952; however, his interest in livestock began in 1948, when, at the age of 13, he purchased his first Angus heifer;

Whereas, As the sixth generation to live on the home farm in Greencastle, Ken Torr graduated from Purdue University and joined the staff of the First Citizens Bank as a farm representative, working his way up to assistant trust officer and earning a real estate broker's license;

Whereas, While attending Purdue, Ken Torr worked at the beef barn and was a member of Purdue livestock judging teams that won a national championship;

Whereas, However, his roots were calling him home, so he left the bank to work as a livestock fieldman for the "Indiana Farmer", which was sold to "Prairie Farmer" later that year;

Whereas, During his 32 years with "Prairie Farmer", Ken Torr accomplished many things, including writing the first livestock display ad for the magazine and servicing the eastern territory;

Whereas, Ken Torr attended Superior Auction School in Decatur, Illinois, where he trained with legendary auctioneers such as Ham James, Paul Good, Ike Hamilton, and Ray Sims;

Whereas, Ken Torr continued auctioneering sales for 40 years, and passed along his vast amount of knowledge to the next generation of auctioneers, and was considered by many livestock auctioneers as the best sales ringman in the country;

Whereas, Ken Torr also bred and raced Standardbred horses for 35 years, rebuilt his Angus cow herd, continued his lifelong work in photography, and developed a woodworking hobby that he stores in a two-story shop known as "Ken's Workshop & This 'N That Museum";

Whereas, Ken and his wife, Beverly, have been married since 1956 and have twin sons, John A. and Gerald R., a daughter, Janet, and four grandchildren; and

Whereas, Ken Torr has built a reputation as a dedicated and hardworking auctioneer who deserves special recognition for his many accomplishments: 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 congratulates Ken Torr on his induction into the Livestock Marketeers Hall of Fame.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to Ken Torr and his wife, Beverly.

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

House Resolution 64

Representatives Behning and Wright introduced House Resolution 64:

A HOUSE RESOLUTION congratulating the Plainfield High School show choirs.

Whereas, On Saturday, March 21, 2015, the Plainfield High School show choirs competed at the Indiana State School Music Association Show Choir Championship;

Whereas, The Plainfield High School Choral Department is made up of approximately 200 students in five ensembles;

Whereas, Femmes Fatales, the extracurricular women's show choir, placed first in the Small School Division - Women's Category;

Whereas, The Belles et Beaux, the advanced concert choir and show choir, placed first in the Small School Division - Mixed Category;

Whereas, Both groups also won Best Vocals and the show choir bands won Best Band designation;

Whereas, The Drumline also placed third in the State competition and will travel to Dayton, Ohio, to compete in the WGI national competition;

Whereas, A victory in the state championship requires much preparation and hard work;

Whereas, No quality program is possible without the support and encouragement of an interested school administration and an enthusiastic community, which was enjoyed by the Femme Fatales and the Belles et Beaux; and

Whereas, The Plainfield High School choirs are dedicated to learning and performing a wide variety of music, representing Plainfield High School, and recognizing the important role that music plays in our schools: 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 congratulates the Plainfield High School show choirs on their first place finishes in the Small School Division - Women's Category and the Small School Division - Mixed Category and wishes them continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmits a copy of this resolution to each choir member, Choral Director Jonelle Heaton, Principal Melvin Siefert, and Superintendent Scott Olinger.

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

House Resolution 65

Representative Cherry introduced House Resolution 65:

A HOUSE RESOLUTION urging the legislative council to assign to the appropriate study committee the topic of the recommendations found in the Ball State Tax Increment Financing Report.

Whereas, The Center for Business and Economic Research at Ball State University recently prepared a report evaluating the impact of tax increment financing (TIF) in Indiana counties from 2003 through 2012;

Whereas, In this report, the center found that larger TIFs are associated with higher effective tax rates of non-TIF areas within a county;

Whereas, The report also finds that TIFs are associated with small but positive growth in assessed value; and

Whereas, In consideration of the findings of this report, the use of TIFs in Indiana should be studied by the Indiana General Assembly: Therefore,

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

SECTION 1. That the legislative council is urged to assign to the appropriate study committee the topic of the recommendations found in the Ball State Tax Increment Financing Report, including the policy recommendations.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Resolution 66

Representative Cherry introduced House Resolution 66:

A HOUSE RESOLUTION urging the legislative council to assign to the appropriate study committee the topic of sales and use tax rates and collection on biofuels.

Whereas, Under existing law, the gasoline use tax rate paid by Indiana consumers on a gallon of 85 percent ethanol gasoline (E85) is charged a higher rate than the rate paid by regular or premium unleaded gasolines; and

Whereas, The use tax rate charged on biofuels and the method of collecting those taxes should be studied further to ensure tax fairness and adequate benefit to Indiana farmers and consumers: Therefore,

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

SECTION 1. That the legislative council is urged to assign to the appropriate study committee the topic of use tax rates and collection on biofuels.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Resolution 67

Representative Cherry introduced House Resolution 67:

A HOUSE RESOLUTION urging the legislative council to assign to the appropriate study committee the review of the debt service of fire protection territories .

Whereas, Fire protection and prevention services are among the most important services provided to residents of our state; and

Whereas, Greater demands for fire protection services and the high cost of modern and specialized equipment makes providing fire protection services costly for local governments: Therefore,

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

SECTION 1. That the legislative council is urged to assign to the appropriate study committee the review of debt service of fire protection territories. This study should also include whether the fire protection territory and fire protection district should be offered as separate options for interlocal cooperation in providing fire protection services.

SECTION 2. The committee should also consider adjusting the tax levies for the participating units and whether different tax rates for fire protection services should be applied for the participating units included within the territory. In conducting the review, the committee shall consider the following factors and discuss the factors with each participating unit in the territory:

- (1) The population and change in population of each unit in the territory.
- (2) The assessed valuation and change of assessed valuation of real property in each unit in the territory.
- (3) The cost of providing fire service to each unit in the territory.
- (4) Comparisons to other jurisdictions providing similar fire service.
- (5) Previous tax rates and levies for fire protection.
- (6) Future needs and planned or expected expenses for fire service.
- (7) Other factors as determined by the department.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

Representatives Riecken and Klinker, who had been present, are now excused.

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1002 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

BOSMA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1139 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

RICHARDSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1181 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

LEHE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1304 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

MCMILLIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1403 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1466 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1542 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

DERMODY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1562 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

ZENT

Motion prevailed.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1170.

UBELHOR

Roll Call 509: yeas 92, nays 1. Motion prevailed.

Representatives Behning and T. Brown, who had been present, are now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1311.

CLERE

Roll Call 510: yeas 86, nays 5. Motion prevailed.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

HB 1002	Conferees: Advisors:	Bosma and Pelath Steuerwald and Kersey
HB 1181	Conferees: Advisors:	Lehe and Klinker Friend, Gutwein, Niezgodski, Wright
HB 1304	Conferees: Advisors:	McMillin and Pierce Washburne, McNamara, Lawson, GiaQuinta
HB 1403	Conferees: Advisors:	Torr and Hale Slager, Smaltz, Porter
HB 1438	Conferees: Advisors:	DeVon and Moed Thompson, McNamara, Hale, V. Smith
HB 1466	Conferees: Advisors:	Carbaugh and Forestal Burton, Heaton, Niezgodski, Moseley
HB 1472	Conferees: Advisors:	Negele and Pryor T. Brown, Smaltz, Klinker
HB 1542	Conferees: Advisors:	Dermody and GiaQuinta Wesco, Ubelhor, Pierce
HB 1562	Conferees: Advisors:	Zent and Shackelford Wolkins, Bauer, C. Brown

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills and Joint Resolutions:

SB 168	Conferees: Advisors:	Clere and C. Brown Kirchhofer, McMillin, Shackelford
SB 252	Conferees: Advisors:	Eberhart and Goodin Dermody, Thompson, Austin, Giaquinta
SB 267	Conferees: Advisors:	Behning and Austin Cook, Mayfield, Lawson, Moed
SB 373	Conferees: Advisors:	Lehman and Austin Eberhart, Washburne, DeLaney
SB 436	Conferees: Advisors:	T. Brown and Porter Cherry, Price, VanNatter, Huston, Schaibley, Pryor, Goodin
SB 438	Conferees: Advisors:	T. Brown and Porter Friend, Thompson, Smaltz, Klinker, Riecken
SB 476	Conferees: Advisors:	Friend and Porter Morrison, Huston, Goodin, Niezgodski
SB 566	Conferees: Advisors:	T. Brown and V. Smith Behning, McNamara, Cook, Porter, Austin
SJR 19	Conferees: Advisors:	T. Brown and Bauer McMillin, Steuerwald, Porter, DeLaney

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

SB 33	Advisor:	Torr
SB 307	Advisor:	Dvorak replacing DeLaney

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed Senate Bill 8-2015 because it conflicts with SEA 175-2015 and SEA 420-2015 without properly recognizing the existence of SEA 175-2015 and SEA 420-2015, has had Engrossed Senate Bill 8-2015 under consideration and begs leave to report back to the House with the recommendation that Engrossed Senate Bill 8-2015 be corrected as follows:

Page 1, line 1, delete "P.L.168-2014," and insert "SEA 175-2015, SECTION 29, AND AS AMENDED BY SEA 420-2015, SECTION 57,".

Page 1, line 2, delete "SECTION 119,".

Page 1, line 12, delete "mental" and insert "an intellectual disability.".

Page 1, line 13, delete "retardation.".

Page 4, line 10, after "of" insert "educational credit,".

Page 4, line 11, after "credit" insert ",".

(Reference is to ESB 8 as printed April 3, 2015.)

TORR, Chair
PIERCE, R.M.M.
COX, Sponsor

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed Senate Bill 283-2015 because it conflicts with HEA 1150-2015 without properly recognizing the existence of HEA 1150-2015, has had Engrossed Senate Bill 283-2015 under consideration and begs leave to report back to the House with the recommendation that Engrossed Senate Bill 283-2015 be corrected as follows:

Page 8, line 6, delete "P.L.35-2012," and insert "HEA 1150-2015, SECTION 3,".

Page 8, line 7, delete "SECTION 136,".

Page 8, line 41, after "fund," insert "credit for".

Page 9, line 4, after "by" insert "a first class patrolman or".

Page 9, line 6, after "or the" insert "police officer or".

Page 9, line 8, after "by the" insert "police officer or".

Page 9, line 9, after "apply" insert "to a firefighter".

Page 9, line 19, after "paid" insert "police officer,".

Page 9, line 20, after "firefighter" insert ",".

Page 9, line 20, delete "as an".

Page 9, line 22, after "amount the" insert "police officer or".

Page 9, line 22, after "if the" insert "police officer or".

Page 9, line 23, after "during the" insert "police officer's or".

Page 9, line 25, after "the" insert "police officer's or".

(Reference is to ESB 283 as printed March 24, 2015.)

TORR, Chair
PIERCE, R.M.M.
BURTON, Sponsor

Report adopted.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 2:59 p.m. with the Speaker in the Chair.

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

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 84

Representatives Bosma, Pelath, Richardson and Huston introduced House Concurrent Resolution 84:

A CONCURRENT RESOLUTION recognizing Riley Hospital for Children at Indiana University Health and its "Change the Play" program, an initiative generating a movement of strong, health-minded children.

Whereas, Indiana is ranked the eighth most obese state with one-third of its children being overweight or obese;

Whereas, The youth of Indiana will determine the future of this state and need a solid foundation to live healthy, more sustainable lives and build healthier, stronger communities;

Whereas, Riley at IU Health and Indianapolis Colts quarterback Andrew Luck share a vision of improving children's health and have together developed "Change the Play", an innovative health, fitness and nutrition program, empowering kids to be the quarterbacks of their own health;

Whereas, "Change the Play" reaches beyond the hospital walls to equip kids from across Indiana with the tools needed to make better choices regarding their health, including guidance on fitness, nutrition, and a variety of "life" topics such as stress management, reading, academics, sleep, learning to give back and more; and

Whereas, "Change the Play" has impacted nearly 20,000 kids across Indiana since its launch in 2013; is accessible at home, in more than 100 schools, at three summer camps, and through its own Kids Club; and boasts numerous examples of children using lessons learned in this program to make healthier life choices: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the "Change the Play" program for its success in empowering the youth of Indiana to make smart choices and build healthy, active and fit lives, and stronger communities.

SECTION 2. The Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Riley Hospital for Children at Indiana University Health and Andrew Luck, quarterback for the Indianapolis Colts.

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

**MOTIONS TO CONCUR
IN SENATE AMENDMENTS**

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1388.

LEONARD

After discussion, the Speaker withdrew the motion to concur.

The Speaker assigned a special committee to investigate the concurrence.

Representatives Austin, DeLaney, Dermody, Errington, Forestal, Harman, Moed, Morrison, V. Smith, Soliday, Thompson and Washburne, who had been present, are now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1456.

ZENT

Roll Call 511: yeas 82, nays 0. Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed House Bill 1015-2015 because it conflicts with SEA 487-2015, without properly recognizing the existence of SEA 487-2015, has had Engrossed House Bill 1015-2015 under consideration and begs leave to report back to the House with the recommendation that Engrossed House Bill 1015-2015 be corrected as follows:

Page 1, delete lines 1 through 15.

Delete pages 2 through 4.

Page 5, delete lines 1 through 22, begin a new paragraph and insert:

"SECTION 1. IC 23-1-18-3, AS AMENDED BY SEA 487-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 3. (a) The secretary of state shall collect the following fees when the documents described in this subsection are delivered to the secretary of state for filing:

Document	Electronic Filing Fee	Fee (Other than electronic filing)
(1) Articles of incorporation	\$75	\$90
(2) Application for use of indistinguishable name	\$10	\$20
(3) Application for reserved name	\$10	\$20
(4) Application for renewal of reservation	\$10	\$20
(5) Notice of transfer of reserved name	\$10	\$20
(6) Corporation's statement of change of registered agent or registered office or both	No Fee	No Fee
(7) Agent's statement of change of registered office for each affected corporation	No Fee	No Fee
(8) Agent's statement of resignation	No Fee	No Fee
(9) Amendment of articles of incorporation	\$20	\$30
(10) Restatement of articles of incorporation with amendment of articles	\$20	\$30
(11) Articles of merger or share exchange	\$75	\$90
(12) Articles of dissolution	\$20	\$30
(13) Articles of revocation of dissolution	\$20	\$30
(14) Certificate of administrative dissolution	No Fee	No Fee
(15) Application for reinstatement	No Fee	No Fee

	following administrative dissolution	\$20	\$30
(16)	Certificate of reinstatement	No Fee	No Fee
(17)	Certificate of judicial dissolution	No Fee	No Fee
(18)	Application for certificate of authority	\$75	\$90
(19)	Application for amended certificate of authority	\$20	\$30
(20)	Application for certificate of withdrawal	\$20	\$30
(21)	Certificate of revocation of authority to transact business	No Fee	No Fee
(22)	Biennial report	\$20	\$30
(23)	Articles of correction	\$20	\$30
(24)	Application for certificate of existence or authorization	\$15	\$15
(25)	Annual benefit report	\$10	\$15
(25) (26)	Any other document required or permitted to be filed by this article, including an application for any other certificates or certification certificate (except for any such other certificates that the secretary of state may determine to issue without additional fee in connection with particular filings) and a request for other facts of record under section 9(b)(6) of this chapter	\$20	\$30

The secretary of state shall prescribe the electronic means of filing documents to which the electronic filing fees set forth in this section apply.

(b) The fee set forth in subsection (a)(22) for filing a biennial report is:

- (1) fifteen dollars (\$15) per year, for a filing in writing; and
- (2) ten dollars (\$10) per year, for a filing by electronic means;

to be paid biennially.

(c) The secretary of state shall collect a fee of ten dollars (\$10) each time process is served on the secretary of state under this article. If the party to a proceeding causing service of process prevails in the proceeding, then that party is entitled to recover this fee as costs from the nonprevailing party.

(d) The secretary of state shall collect the following fees for copying and certifying the copy of any filed document relating to a domestic or foreign corporation:

- (1) Per page for copying \$ 1
- (2) For a certification stamp \$15

The fees under this subsection do not apply to any copies or certifications that are processed on the secretary of state's Internet web site.

SECTION 2. IC 23-1-44-8, AS AMENDED BY SEA 487-2015, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 8. (a) A shareholder is entitled to dissent from, and obtain payment of the fair value of the shareholder's shares in the event of, any of the following corporate actions:

- (1) Consummation of a plan of merger to which the corporation is a party if:
 - (A) shareholder approval is required for the merger by IC 23-1-40 or the articles of incorporation; and
 - (B) the shareholder is entitled to vote on the merger.

(2) Consummation of a plan of share exchange to which the corporation is a party as the corporation whose shares will be acquired, if the shareholder is entitled to vote on the plan.

(3) Consummation of a sale or exchange of all, or substantially all, of the property of the corporation other than in the usual and regular course of business, if the shareholder is entitled to vote on the sale or exchange, including a sale in dissolution, but not including a sale pursuant to court order or a sale for cash pursuant to a plan by which all or substantially all of the net proceeds of the sale will be distributed to the shareholders within one (1) year after the date of sale.

(4) The approval of a control share acquisition under IC 23-1-42.

(5) Any corporate action taken pursuant to a shareholder vote to the extent the articles of incorporation, bylaws, or a resolution of the board of directors provides that voting or nonvoting shareholders are entitled to dissent and obtain payment for their shares.

(6) Election to become a benefit corporation under IC 21-1.3-3-2.

(b) This section does not apply to the holders of shares of any class or series if, on the date fixed to determine the shareholders entitled to receive notice of and vote at the meeting of shareholders at which the merger, plan of share exchange, or sale or exchange of property is to be acted on, the shares of that class or series were a covered security under Section 18(b)(1)(A) or 18(b)(1)(B) of the Securities Act of 1933, as amended.

(c) The articles of incorporation as originally filed or any amendment to the articles of incorporation may limit or eliminate the right to dissent and obtain payment for any class or series of preferred shares. However, any limitation or elimination contained in an amendment to the articles of incorporation that limits or eliminates the right to dissent and obtain payment for any shares:

- (1) that are outstanding immediately before the effective date of the amendment; or
- (2) that the corporation is or may be required to issue or sell after the effective date of the amendment under any exchange or other right existing immediately before the effective date of the amendment;

does not apply to any corporate action that becomes effective within one (1) year of the effective date of the amendment if the action would otherwise afford the right to dissent and obtain payment.

(d) A shareholder:

- (1) who is entitled to dissent and obtain payment for the shareholder's shares under this chapter; or
- (2) who would be so entitled to dissent and obtain payment but for the provisions of subsection (b);

may not challenge the corporate action creating (or that, but for the provisions of subsection (b), would have created) the shareholder's entitlement.

(e) Subsection (d) does not apply to a corporate action that was approved by less than unanimous consent of the voting shareholders under IC 23-1-29-4 if both of the following apply:

- (1) The challenge to the corporate action is brought by a shareholder who did not consent and as to whom notice of the approval of the corporate action was not effective at least ten (10) days before the corporate action was effected.
- (2) The proceeding challenging the corporate action is commenced not later than ten (10) days after notice of the approval of the corporate action is effective as to the shareholder bringing the proceeding."

(Reference is to EHB 1015 as printed March 31, 2015.)

TORR, Chair
PIERCE, R.M.M.
COX, Author

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed House Bill 1601-2015 because it conflicts with HEA 1497-2015 without properly recognizing the existence of HEA 1497-2015, has had Engrossed House Bill 1601-2015 under consideration and begs leave to report back to the House with the recommendation that Engrossed House Bill 1601-2015 be corrected as follows:

Page 14, line 35, delete "P.L.154-2013," and insert "HEA 1497-2015, SECTION 1,".

Page 14, line 36, delete "SECTION 6,".

Page 15, line 6, delete ", such as job search".

Page 15, delete lines 7 through 9.

Page 15, line 11, delete ",," and insert "as provided under section 3.5 of this chapter,".

Page 16, delete lines 29 through 42.

Page 17, delete lines 1 through 9.

(Reference is to EHB 1601 as printed April 10, 2015.)

TORR, Chair
PIERCE, R.M.M.
SMALTZ, Author

Report adopted.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, April 22, 2015, at 1:30 p.m.

FRIEND

The motion was adopted by a constitutional majority.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

HB 1542 Advisor: Arnold

SB 168 Advisor: Davisson

OTHER BUSINESS ON THE SPEAKER'S TABLE

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1003, 1016, 1045, 1050, 1062, 1080, 1093, 1138, 1145, 1150, 1157, 1161, 1182, 1183, 1186, 1192, 1194, 1196, 1265, 1271, 1281, 1282, 1286, 1300, 1302, 1307, 1341, 1394, 1396, 1397, 1398, 1413, 1414, 1432, 1434, 1448, 1471, 1497, 1505 and 1508 and Senate Enrolled Acts 177, 199, 207, 282, 311, 317, 327, 358, 383, 474 and 514 on April 21.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representative Aylesworth be added as coauthor of House Bill 1456.

ZENT

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

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 27, 98, 113, 217, 251, 312, 329, 374, 408, 415, 515, 516 and 524.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolution 82 and the same is 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 51 and 52 and the same are herewith transmitted to the House for further action.

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 accepted and approved the Joint Rule 20 correction on Engrossed Senate Bill 8.

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 accepted and approved the Joint Rule 20 correction on Engrossed Senate Bill 283.

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 accepted and approved the Joint Rule 20 correction on Engrossed Senate Bill 420.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 158, conference committee meetings were announced.

On the motion of Representative Morrison, the House adjourned at 3:41 p.m., this twenty-first day of April, 2015, until Wednesday, April 22, 2015, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives