



Journal of the Senate

State of Indiana

120th General Assembly

First Regular Session

Nineteenth Meeting Day

Tuesday Afternoon

February 14, 2017

The Senate convened at 1:30 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Chaplain Pam Russell, Capitol Commission.

The Pledge of Allegiance to the Flag was led by Senator Mike L. Bohacek.

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

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

Roll Call 103: present 50; excused 0. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Resolution 24

Senate Resolution 24, introduced by Senator Buck:

A SENATE RESOLUTION urging Senators Todd Young and Joe Donnelly to vote to confirm United States Supreme Court nominee Neil Gorsuch.

Whereas, Article Two of the United States Constitution requires the President of the United States to nominate Supreme Court Justices, and with Senate confirmation, requires Justices to be appointed;

Whereas, President Trump nominated Neil M. Gorsuch to fill the seat vacated by the late Justice Antonin Scalia, and once the Senate Judiciary Committee reviews Justice Gorsuch's record and holds a hearing to consider the nomination, the Senate will vote upon the confirmation of Justice Gorsuch;

Whereas, In accordance with Article Two of the United States Constitution, Senators Todd Young and Joe Donnelly will be among the 100 United States Senators who will be tasked with voting upon the confirmation of Supreme Court nominee Justice Gorsuch;

Whereas, Rejections of United States Supreme Court nominations are highly uncommon, and the Senate has rejected only twelve Supreme Court nominees in its history;

Whereas, The Indiana General Assembly urges United States Senators Todd Young and Joe Donnelly to vote in favor of United States Supreme Court nominee Neil Gorsuch in accordance with the President's nomination;

Whereas, Historically, United States Senators from the Indiana delegation routinely consulted the Indiana General Assembly before casting their vote for a United States Supreme Court Justice;

Whereas, Justice Gorsuch was nominated to the 10th Circuit United States Court of Appeals in 2006 by President George W. Bush, and he was confirmed by a voice vote;

Whereas, Justice Gorsuch was unanimously approved by the United States Senate in 2006, and then-Senators Barack Obama and Joe Biden both voted in favor of Justice Gorsuch;

Whereas, It is fitting that the Indiana Senate urges Senators Todd Young and Joe Donnelly to vote to confirm United States Supreme Court Justice nominee Neil Gorsuch: Therefore,

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

SECTION 1. That the Indiana Senate urges Senators Joe Donnelly and Todd Young to vote in favor of United States Supreme Court Justice nominee Neil Gorsuch;

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Senators Joe Donnelly and Todd Young.

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

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 119, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 494, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 515, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 6-2.5-1-20.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 20.1. "Industrial processing service" means an activity performed on behalf of a manufacturer that would rise to the level of manufacturing or production if the activity were performed by the manufacturer as part of the manufacturer's integrated production process.**

SECTION 2. IC 6-2.5-1-20.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 20.2. "Industrial processor" means a person that:**

- (1) acquires tangible personal property owned by another person;**
- (2) provides industrial processing services, including enameling or plating, on the property; and**

(3) transfers the property back to the owner to be sold by that owner either in the same form or as a part of other tangible personal property produced by that owner in the owner's business of manufacturing, assembling, constructing, refining, or processing.

SECTION 3. IC 6-2.5-5-2, AS AMENDED BY P.L.250-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 2. (a) Transactions involving agricultural machinery, tools, and equipment, including material handling equipment purchased for the purpose of transporting materials into activities described in this subsection from an onsite location, are exempt from the state gross retail tax if the person acquiring that property acquires it for the person's direct use in the direct production, extraction, harvesting, or processing of agricultural commodities. and including material handling equipment purchased for the purpose of transporting materials into such activities from an onsite location.**

(b) Transactions involving agricultural machinery or equipment are exempt from the state gross retail tax if:

- (1) the person acquiring the property acquires it for use in conjunction with the production of food and food ingredients or commodities for sale;
- (2) the person acquiring the property is occupationally engaged in the production of food or commodities which the person sells for human or animal consumption or uses for further food and food ingredients or commodity production; and
- (3) the machinery or equipment is designed for use in gathering, moving, or spreading animal waste.

(c) Transactions involving agricultural machinery or equipment are exempt from the state gross retail tax if the person acquiring the property:

(1) acquires it for the person's direct use in:

(A) the direct application of fertilizers, insecticides, fungicides, seeds, and other tangible personal property; or

(B) the direct extraction, harvesting, or processing of agricultural commodities;

for consideration; and

(2) is occupationally engaged in providing the services described in subdivision (1) on property that is:

(A) owned or rented by another person occupationally engaged in agricultural production; and

(B) used for agricultural production.

SECTION 4. IC 6-2.5-5-3, AS AMENDED BY P.L.181-2016, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3. (a) For purposes of this section:**

(1) the:

(A) retreading of tires; and

(B) felling of trees for further use in production or for sale in the ordinary course of business;

shall be treated as the processing of tangible personal property; and

(2) commercial printing shall be treated as the production and manufacture of tangible personal property.

(b) Except as provided in subsection ~~(c)~~; **(d)**, transactions involving manufacturing machinery, tools, and equipment, **including material handling equipment purchased for the purpose of transporting materials into activities described in this subsection from an onsite location**, are exempt from the state gross retail tax if the person acquiring that property acquires it for direct use in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining, or finishing of other tangible personal property. ~~including material handling equipment purchased for the purpose of transporting materials into such activities from an onsite location.~~

(c) Except as provided in subsection (d), transactions involving manufacturing machinery, tools, and equipment, including material handling equipment purchased for the purpose of transporting materials into an industrial process from an onsite location, are exempt from the state gross retail tax if the person acquiring that property:

(1) acquires it for the person's direct use in an industrial processing service; and

(2) is an industrial processor.

~~(c)~~ **(d)** The ~~exemption exemptions~~ provided in ~~subsection subsections (b) and (c) does do~~ not apply to transactions involving distribution equipment or transmission equipment acquired by a public utility engaged in generating electricity.

SECTION 5. IC 6-2.5-5-4, AS AMENDED BY P.L.250-2015, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. Transactions involving tangible personal property, **including material handling equipment purchased for the purpose of transporting materials into activities described in this subsection from an onsite location**, are exempt from the state gross retail tax if the person acquiring the property acquires it for the person's direct use in the direct production of the machinery, tools, or equipment described in section 2 or 3 of this chapter. ~~including material handling equipment purchased for the purpose of transporting materials into such activities from an onsite location.~~

SECTION 6. IC 6-2.5-5-5.1, AS AMENDED BY P.L.242-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5.1. (a) As used in this section, "tangible personal property" includes electrical energy, natural or artificial gas, water, steam, and steam heat.

(b) Transactions involving tangible personal property are exempt from the state gross retail tax if the person acquiring the property acquires it for direct consumption as a material to be consumed in the direct production of other tangible personal property in the person's business of manufacturing, processing, refining, repairing, mining, agriculture, horticulture, floriculture, or arboriculture. This exemption includes transactions involving acquisitions of tangible personal property used in commercial printing.

(c) Transactions involving tangible personal property are exempt from the state gross retail tax if the person acquiring that property:

(1) acquires it for the person's direct consumption as a material to be consumed in an industrial processing service; and

(2) is an industrial processor."

Page 2, delete lines 1 through 3.

Page 3, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 8. IC 6-2.5-5-47, AS ADDED BY P.L.195-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016 (RETROACTIVE)]: Sec. 47. Transactions involving the sale of or the lease or rental of storage for:

(1) coins that are permitted investments by an individual retirement account or by an individually-directed account under 26 U.S.C. 408(m);

(2) bullion that ~~is would be~~ a permitted investment by an individual retirement account or by an individually-directed account under 26 U.S.C. 408(m) **if the bullion was in the physical possession of a trustee;** or

(3) legal tender;

are exempt from the state gross retail tax."

Page 16, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 22. IC 6-3-2-4, AS AMENDED BY P.L.250-2015, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 4. (a) Each taxable year, an individual, or the individual's surviving spouse, is entitled to an adjusted gross income tax deduction for the first ~~five seven~~ thousand ~~five hundred~~ dollars ~~(\$5,000)~~ **(\$7,500)** of income, including retirement or survivor's benefits, received during the taxable year by the individual, or the individual's surviving spouse, for the individual's service in an active or reserve component of the armed forces of the United States, including the army, navy, air force, coast guard, marine corps, merchant marine, Indiana army national guard, or Indiana air national guard. However, a person who is less than sixty (60) years of age on the last day of the person's taxable year, is not, for that taxable year, entitled to a deduction under this section for retirement or survivor's benefits.

(b) An individual whose qualified military income is subtracted from the individual's federal adjusted gross income under IC 6-3-1-3.5(a)(19) for Indiana individual income tax purposes is not, for that taxable year, entitled to a deduction under this section for the individual's qualified military income."

Page 17, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 24. IC 6-3.6-2-2, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 2. "Adjusted gross income" has the meaning set forth in IC 6-3-1-3.5. However:

(1) **except as provided in subdivision (3)**, in the case of a local taxpayer who is not treated as a resident local taxpayer of a county, the term includes only adjusted gross income derived from the taxpayer's principal place of business or employment; ~~and~~

(2) in the case of a resident local taxpayer of Perry County, the term does not include adjusted gross income described in IC 6-3.6-8-7; **and**

(3) **in the case of a local taxpayer described in section 13(3) of this chapter, the term includes only the individual's adjusted gross income that:**

(A) **is apportioned to Indiana under IC 6-3-2-2.7 or IC 6-3-2-3.2; and**

(B) **is paid to the individual as compensation for services rendered in the county as a team member or race team member.**

SECTION 25. IC 6-3.6-2-13, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 13. "Local taxpayer", as it relates to a particular county, means any ~~individual who:~~ **of the following:**

(1) **An individual who** resides in that county on the date specified in IC 6-3.6-8-3. ~~or~~

(2) **An individual who** maintains the taxpayer's principal place of business or employment in that county on the date specified in IC 6-3.6-8-3 and who does not reside on that same date in another county in Indiana in which a tax under this article is in effect.

(3) **An individual who:**

(A) **has income apportioned to Indiana as:**

(i) **a team member under IC 6-3-2-2.7; or**

(ii) **a race team member under IC 6-3-2-3.2;**

for services rendered in the county; and

(B) **is not described in subdivision (1) or (2).**

SECTION 26. IC 6-3.6-9-10, AS AMENDED BY P.L.180-2016, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 10. The budget agency shall also certify information concerning the part of the certified distribution that is attributable to each of the following:

(1) The tax rate imposed under IC 6-3.6-5.

(2) The tax rate imposed under IC 6-3.6-6, separately stating the part of the distribution attributable to a tax rate imposed under IC 6-3.6-6-2.5.

(3) Each tax rate imposed under IC 6-3.6-7.

(4) **In the case of Marion County, the local income taxes paid by a local taxpayer described in IC 6-3.6-2-13(3).**

The amount certified shall be adjusted to reflect any adjustment in the certified distribution under this chapter.

SECTION 27. IC 6-3.6-11-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: **Sec. 1.5. (a) This section applies only to Marion County.**

(b) **If the capital improvement board established under IC 36-10-9 has established a bid fund described in**

IC 5-13-10.5-18(g), the county auditor shall transfer to the bid fund an amount equal to the part of the county's certified distribution that is certified under IC 6-3.6-9-10(4)."

Page 20, after line 15, begin a new paragraph and insert:

"SECTION 32. [EFFECTIVE UPON PASSAGE] (a) **The following definitions apply throughout this SECTION:**

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

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

(3) **"Statutory tax relief" means the amount equal to:**

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

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

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

(c) **Not later than October 1, 2017, the legislative services agency shall submit a report of the study to the legislative council, the interim study committee on fiscal policy, and the chairperson and ranking minority member of the house committee on ways and means and the senate committee on tax and fiscal policy. The report to the legislative council must be in an electronic format under IC 5-14-6.**

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

SECTION 33. [EFFECTIVE JANUARY 1, 2018] (a) **IC 6-3-2-4, as amended by this act, applies to taxable years beginning after December 31, 2017.**

(b) **This SECTION expires January 1, 2020.**

SECTION 34. [EFFECTIVE JANUARY 1, 2018] (a) **IC 6-3.6-2-2 and IC 6-3.6-2-13, both as amended by this act, apply only to taxable years beginning after December 31, 2017.**

(b) **This SECTION expires July 1, 2021.**

SECTION 35. **An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

(Reference is to SB 515 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

HERSHMAN, Chair

Report adopted.

SENATE MOTION

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

- SR 21 Senator Freeman
Honoring the Leadership Development Academy.
- SR 22 Senator Kruse
Urging the recognition of "National Day of the Cowboy".

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 21

Senate Resolution 21, introduced by Senator Freeman:

A SENATE RESOLUTION honoring the Leadership Development Academy ("LDA") Class of 2017.

Whereas, The Indiana State Bar Association Leadership Development Academy ("LDA") empowers and develops lawyers to be informed, committed, and involved in order to serve as role models in matters of ethics and professionalism in local and state bar associations, Indiana communities, and organizations;

Whereas, The LDA Class of 2017, the 6th annual class of the program, consists of 25 Indiana lawyers who have been admitted to practice for 15 years or less;

Whereas, LDA incorporates professional facilitators and prominent leaders from various disciplines to inform participants about leadership principles and techniques, the importance of effective leaders in organizations and governments for the maximization of efficiency and effectiveness, and the challenges and rewards of leadership in action;

Whereas, LDA class members are selected from around the state and are exposed to topics such as public service, economic development, government, military, leadership, diversity and inclusion, and other related leadership topics;

Whereas, As LDA class members travel around the state, they actively engage in panel discussions, group activities, and demonstrations with faculty who include Indiana Supreme Court Justices, Court of Appeals and trial court judges, members of the executive and legislative branches of Indiana government, and prominent business and military leaders;

Whereas, One of the principal themes of LDA is, "Leading begins with the attitude of a servant leader - to serve first, and out of service we are given the honor to lead"; and

Whereas, February 13-14, 2017, marks the LDA session which will focus on local and state government by giving the class the opportunity to get acquainted with the members of the Indiana Supreme Court and Court of Appeals, tour the Indiana Statehouse, the Birch Bayh Federal Building, and the U.S.

Courthouse, discuss issues with Indiana legislators, and hear an oral argument: Therefore,

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

SECTION 1. That the Indiana Senate recognizes the importance of the education provided by the Indiana State Bar Association's Leadership Development Academy.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Indiana State Bar Association Leadership Development Academy and the members of the sixth annual class.

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

Senate Resolution 22

Senate Resolution 22, introduced by Senator Kruse:

A SENATE RESOLUTION urging Governor Eric Holcomb to recognize the fourth Saturday of July each year as "National Day of the Cowboy."

Whereas, Indiana pioneering men and women, known as cowboys, helped establish America's frontiers;

Whereas, The cowboy archetype transcends gender, generations, ethnicity, and geographical boundaries;

Whereas, The cowboy embodies honesty, integrity, courage, compassion, determination and loyalty, and the cowboy spirit exemplifies patriotism and strength of character;

Whereas, The cowboy is an excellent steward of the land and its creatures, and the core values expressed within the Cowboy Code of Conduct continue to inspire the pursuit of the highest caliber of personal integrity;

Whereas, The cowboy and his horse are a central figure in literature, art, film, poetry, photography and music in Indiana, and the cowboy is a true American icon occupying a central place in the public's imagination and the world's most popular folk hero;

Whereas, Cowboy tradition continues on through the state's strong agricultural practices, and Indiana currently has approximately 61,000 farms and 15,000,000 acres of farmland;

Whereas, Membership participation in the National Day of the Cowboy Organization, Single Action Shooting Society, Cowboy Mounted Shooting Association, American Quarter Horse Association, Pro Rodeo Cowboys Association, Women's Pro Rodeo, Working Ranch Rodeo Association, Championship Bull Riding, the Western Music Association, and other organizations that encompass the livelihood of the cowboy, continues to expand both nationally and internationally;

Whereas, Multiple other states, including east coast states such as Virginia and New York which were not even home to cowboys or western culture in the past, have passed resolutions recognizing "National Day of the Cowboy" in recent years; and

Whereas, It is fitting that Indiana should join these other states in recognizing "National Day of the Cowboy" because the cowboy, and the honorable values for which it stands, is strongly embedded in Indiana heritage: Therefore,

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

SECTION 1. That the Indiana Senate urges Governor Eric Holcomb to recognize the fourth Saturday of July each year as "National Day of the Cowboy."

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Governor Eric Holcomb, Jerry Bentley, Vice Chairman of the National Day of the Cowboy Corporation, and Bethany Braley, Chairman, Executive Director, and Publisher of the National Day of the Cowboy Corporation.

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

SENATE MOTION

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

SR 23 Senator Becker
Memorializing Nancy Jean Koehler.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 23

Senate Resolution 23, introduced by Senators Becker and Tomes:

A SENATE RESOLUTION memorializing the life of Nancy Jean Koehler.

Whereas, Nancy Jean Koehler was born on March 9, 1971;

Whereas, Nancy enjoyed a twenty-three year career at Deaconess Hospital, which she described as an "amazing place" to work. She was especially thankful for her friends and co-workers there;

Whereas, Nancy served her community in many ways through her involvement in community organizations, such as, Rotary, Youth Resources, Leadership Evansville, Buffalo Trace Boy Scouts, USI Foundation and Alumni Council, Komen, Athena Nominee, Girl Scouts, WNIN, United Way, Junior League, ANEW, and the Board of Zoning Appeals;

Whereas, Nancy passed away on February 6, 2017 after a courageous battle against cancer;

Whereas, Nancy was blessed to have an amazing family, which included her three beloved sons David, William and Samuel, her parents Mel and Elaine Sieben, her five siblings Gregory (Heidi), Michael (Rosemary), Sandy (Richard) Bloemker, Scott (Linda), and Roger (Jennifer), and her many nieces and nephews;

Whereas, Nancy is also survived by the father of her sons, David Koehler, their grandmother Peggy Koehler and aunt, Angela (Jay) Lindsey;

Whereas, Those who knew Nancy during her life and during her battle with cancer say that they were amazed by her courage and strength and that God has a special angel in heaven now;

Whereas, Nancy will be greatly missed by her family and friends; and

Whereas, It is fitting that the Indiana Senate honors and memorializes the life of Nancy Jean Koehler: Therefore,

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

SECTION 1. That the Indiana Senate memorializes the life of Nancy Jean Koehler.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to David Koehler, William Koehler, Samuel Koehler, Elaine Sieben, Gregory Sieben, Michael Sieben, Sandy Bloemker, Scott Sieben, Roger Sieben, Peggy Koehler, and Angela Lindsay.

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

Senate Concurrent Resolution 7

Senate Concurrent Resolution 7, introduced by Senator Tallian:

A CONCURRENT RESOLUTION honoring Brian Sadowski on his heroic action of rescuing four people from drowning, including two children, along Lake Michigan.

Whereas, On June 27, 2016 Brian Sadowski, a lifelong resident of Michigan City, Indiana, was walking along the shores of Lake Michigan with his wife when they witnessed two boys caught by the undertow;

Whereas, Mr. Sadowski did not hesitate to rescue the two boys from the water, he also rescued a husband and wife who had slipped from the rocks into the lake while trying to rescue the boys;

Whereas, After the incident Mr. Sadowski helped Michigan City acquire life preserver rings and signage along the pier on Lake Michigan; and

Whereas, Brian Sadowski saved four lives from perishing that day due to his selfless and exceptional act of heroism, perfectly encapsulating how proud each and every one of us should feel to be a Hoosier: 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 State Senate recognizes and honors Brian Sadowski on his heroic action of rescuing four people from drowning.

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

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

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 22, 23 and 25 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

ACTION ON GUBERNATORIAL VETOES MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House of Representatives:

By the authority vested in me as Governor of Indiana, under the provisions of Article 5, Section 14, of the Constitution of the State of Indiana, I do hereby veto House Enrolled Act 1022, enacted during the second regular session of the 119th General Assembly, and received by me on March 17, 2016, which provides that certain records of private university police departments relating to arrests for criminal offenses are public records and that an educational institution, a governing board of an institution, a delegated office or governing board, or an individual employed by an educational institution as a police officer have the same immunities as the state or state police officers.

On March 15, 2016, the Court of Appeals of Indiana ruled in *ESPN v. University of Notre Dame* that Notre Dame's police department is a "public agency" not a private entity under the Indiana Access to Public Records Act (APRA) and as such is subject to APRA requirements to produce certain documents unless otherwise protected from disclosure by APRA.

Throughout my public career, I have long believed in the public's right to know and a free and independent press. Limiting access to police records in a situation where private university police

departments perform a government function is a disservice to the public and an unnecessary barrier to transparency.

While House Enrolled Act 1022 provides for limited disclosure of records from private university police departments, it would limit the application of the Access to Public Records Act following the Court of Appeals decision and result in less disclosure, therefore I have decided to veto the bill. Hoosiers may be assured that my administration will always be vigilant to preserve government accountability and the public's right to know.

Date: March 24, 2016

MICHAEL R. PENCE
Governor of Indiana

The Chair handed down House Enrolled Act 1022, passed by the One Hundred and Nineteenth General Assembly, Second Regular Session, entitled:

AN ACT to amend the Indiana Code concerning state and local administration.

The question was, Shall House Enrolled Act 1022 pass, the Governor's veto notwithstanding?

Roll Call 104: yeas 47, nays 3. The Governor's veto was not sustained.

The Chair instructed the Secretary to inform the House that the Senate had passed House Enrolled Act 1022, the Governor's veto notwithstanding.

ACTION ON GUBERNATORIAL VETOES MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House of Representatives:

By the authority vested in me as Governor of the State of Indiana, under the provisions of Article 5, Section 14, of the Constitution of the State of Indiana, I do hereby veto House Enrolled Act 1082, enacted during the second regular session of the 119th General Assembly, which would have prevented environmental standards or rules put forth by the Indiana Department of Environmental Management that impose a restriction or requirement more stringent than federal law from going into effect until after adjournment sine die of the next General Assembly.

In recent months, public concern over clean and safe drinking water has grown as a result of the situation in Flint, Michigan. Our Indiana Department of Environmental Management is vigilant about requiring regular testing of water systems across the state for lead and working with any systems that are out of compliance to implement plans that will return the water to safe levels.

IDEM must have the necessary flexibility to take action to protect Hoosiers.

House Enrolled Act 1082 restricts IDEM's ability to act and imposes unnecessary delay in its rulemaking process. At a time when we must do all that we can to enhance public trust in the agencies charged with protecting our environment, this bill moves in the wrong direction and will therefore receive my veto.

With this veto, Hoosiers can be assured that we will continue to have the necessary discretion and flexibility to create Indiana solutions at the state level and act in a timely way to protect our drinking water.

Date: March 24, 2016

MICHAEL R. PENCE
Governor of Indiana

The Chair handed down House Enrolled Act 1082, passed by the One Hundred and Nineteenth General Assembly, Second Regular Session, entitled:

AN ACT to amend the Indiana Code concerning environmental law.

The question was, Shall House Enrolled Act 1082 pass, the Governor's veto notwithstanding?

Roll Call 105: yeas 49, nays 1. The Governor's veto was not sustained.

The Chair instructed the Secretary to inform the House that the Senate had passed House Enrolled Act 1082, the Governor's veto notwithstanding.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 26

House Concurrent Resolution 26, sponsored by Senator G. Taylor:

A CONCURRENT RESOLUTION memorializing Reverend Michael K. Jones.

Whereas, Michael K. Jones, senior pastor of Progressive Baptist Church, died on Tuesday, July 26, 2016, at the age of 52;

Whereas, Reverend Jones was born on January 4, 1964, in St. Paul, Minnesota, to Parenthia and Sam H. Jones, a local civil rights activist and former president of the Indianapolis Urban League;

Whereas, Raised in Indianapolis, Reverend Jones graduated from Park Tudor High School and Harvard University, where he earned a Bachelor of Arts in Economics;

Whereas, In 1994, Reverend Jones received a Master of Divinity degree from Christian Theological Seminary and began serving as senior pastor of Progressive Missionary Baptist Church in Indianapolis;

Whereas, In addition to serving as senior pastor of Progressive Missionary Baptist Church, Reverend Jones was the host of "Community Connection," a daily talk show on AM 1310, a position held by Amos C. Brown III before his death;

Whereas, A hard working pastor and community leader, Reverend Jones served in several social and civic capacities, including as team chaplain for the Indiana Pacers, adjunct homiletics professor at Christian Theological Seminary, co-chair of the Race Relations Leadership Network, board member of National City Community Development Corporation, and special lecturer to the Baptist Ministers Alliance of Indianapolis and Vicinity;

Whereas, A tireless worker for civil rights and social justice, Reverend Jones tried to meet people at their place of need;

Whereas, Reverend Jones was devoted to numerous social issues but focused primarily on education and the improvement of police and community relations;

Whereas, Reverend Jones authored two books, "Lord, Teach Me to Pray: Exposing the Power and Practice of Daily Prayer" and "Abundant Relationships," as well as two R&B/smooth jazz albums, "Loving You" and "Smooth Sailing"; and

Whereas, Reverend Michael K. Jones spent his life helping others, and his death has left a void that will never be filled: Therefore,

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

SECTION 1. That the Indiana General Assembly expresses its sincere condolences to the family of Reverend Michael K. Jones and acknowledges his great contributions to Indianapolis, the state of Indiana, and the nation.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the family of Reverend Michael K. Jones.

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

SENATE BILLS ON SECOND READING

Senate Bill 59

Senator Head called up Senate Bill 59 for second reading. The bill was re-read a second time by title.

SENATE MOTION
(Amendment 59-1)

Madam President: I move that Senate Bill 59 be amended to read as follows:

Page 2, delete lines 2 through 35, begin a new paragraph and insert:

"SECTION 2. IC 25-23.6-5-1, AS AMENDED BY P.L.2-2007, SECTION 333, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. **Before July 1, 2017**, an individual who applies for a license as a social worker must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual:

(A) has received at least a bachelor's degree in social work from:

- (i) an eligible postsecondary educational institution that is accredited or approved for candidacy by the Council on Social Work Education or approved by the board; or
- (ii) a foreign school that has a program of study that is approved by the Foreign Equivalency Determination Service of the Council on Social Work Education; and

has completed two (2) years of experience in the practice of social work under the supervision of a licensed social worker, a licensed clinical social worker, or an equivalent supervisor, as determined by the board, after receiving the bachelor's degree; or

(B) has a master's degree in social work from:

- (i) an eligible postsecondary educational institution approved by the board; or
- (ii) a foreign school that has a program of study that is approved by the Foreign Equivalency Determination Service of the Council on Social Work Education.

(2) Furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a social worker without endangering the public.

(4) Pass an examination provided by the board.

(5) Pay the fee established by the board."

Page 2, line 38, delete "An" and insert "**After July 1, 2017, an**".

Page 3, line 20, after "eligible" insert "**to apply**".

Page 3, line 35, delete "social worker or" and insert "**bachelor's degree social worker, social worker, or**".

Page 3, line 39, delete "five (5)" and insert "**two (2)**".

Page 4, line 19, delete "five" and insert "**two**".

Page 4, line 20, delete "(5)" and insert "**(2)**".

Page 4, line 42, delete "five (5)" and insert "**two (2)**".

Page 5, line 25, delete "five (5)" and insert "**two (2)**".

Page 6, line 6, delete "five (5)" and insert "**two (2)**".

Renumber all SECTIONS consecutively.

(Reference is to SB 59 as printed January 31, 2017.)

HEAD

Motion prevailed. The bill was ordered engrossed.

Senate Bill 179

Senator Buck called up Senate Bill 179 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 179-2)

Madam President: I move that Senate Bill 179 be amended to read as follows:

Page 1, line 4, delete "January 13, 2025," and insert "**January 11, 2021,**".

Page 1, line 9, delete "January 12, 2025," and insert "**January 10, 2021,**".

Page 1, delete lines 13 through 17, begin a new paragraph and insert:

"SECTION 2. IC 3-8-1-10.5 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 10-5: A candidate for the office of state superintendent of public instruction must have resided in Indiana for at least two (2) years before the election.~~"

Page 2, line 16, delete "2020." and insert "**2016.**".

Page 2, line 37, delete "2020." and insert "**2016.**".

Page 3, line 16, delete "2020." and insert "**2016.**".

Page 3, line 31, delete "2020." and insert "**2016.**".

Page 5, line 20, delete "January 12, 2025," and insert "**January 10, 2021,**".

Page 6, line 2, delete "January 12, 2025." and insert "**January 10, 2021.**".

Page 6, line 34, delete "January 12, 2025." and insert "**January 10, 2021.**".

Page 9, line 36, delete "January 12, 2025," and insert "**January 10, 2021,**".

Page 10, line 24, delete "January 12, 2025." and insert "**January 10, 2021.**".

Page 11, line 12, delete "JULY 1, 2017]:" and insert "JANUARY 1, 2017 (RETROACTIVE)]:".

Page 11, line 12, delete "2021," and insert "**2017,**".

Page 11, line 20, delete "January 13, 2025." and insert "**January 1, 2021.**".

Page 11, line 23, delete "January 12, 2025," and insert "**January 10, 2021,**".

Page 11, line 41, delete "January 12, 2025," and insert "**January 10, 2021,**".

Page 12, line 5, delete "January 12, 2025," and insert "**January 10, 2021,**".

Page 13, line 5, delete "January 12, 2025," and insert "**January 10, 2021,**".

Page 13, after line 24, begin a new paragraph and insert:
 "SECTION 16. [EFFECTIVE JULY 1, 2017] **(a) The legislative services agency shall prepare legislation for introduction in the 2021 regular session of the general assembly to organize and correct statutes affected by this act.**
(b) This SECTION expires December 31, 2021.
 SECTION 17. **An emergency is declared for this act.**
 Renumber all SECTIONS consecutively.
 (Reference is to SB 179 as printed February 7, 2017.)

BUCK

Motion prevailed.

SENATE MOTION
 (Amendment 179-3)

Madam President: I move that Senate Bill 179 be amended to read as follows:

Page 11, line 23, delete "After" and insert "**Subject to subsection (b), after**".

Page 11, between lines 25 and 26, begin a new paragraph and insert:

"(b) An individual may not be appointed by the governor to be the state superintendent under subsection (a) unless the individual:

- (1) has resided in Indiana for at least two (2) years before the appointment; and**
- (2) has at least seven (7) years of experience as a superintendent, principal, or teacher in Indiana public schools."**

Page 11, line 26, delete "(b)" and insert "(c)".

Page 11, line 28, delete "(c)" and insert "(d)".

(Reference is to SB 179 as printed February 7, 2017.)

TALLIAN

Upon request of Senator Lanane the President ordered the roll of the Senate to be called. Roll Call 106: yeas 13, nays 37.

Motion failed. The bill was ordered engrossed.

Senate Bill 277

Senator Head called up Senate Bill 277 for second reading. The bill was read a second time by title.

SENATE MOTION
 (Amendment 277-2)

Madam President: I move that Senate Bill 277 be amended to read as follows:

Delete the title and insert the following:

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

Page 7, delete lines 32 through 42.

Page 8, delete lines 1 through 2.

Page 8, line 3, delete "9." and insert "**10.**".

(Reference is to SB 277 as printed February 7, 2017.)

KENLEY

Motion prevailed. The bill was ordered engrossed.

Senate Bill 298

Senator Altig called up Senate Bill 298 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 310

Senator Hershman called up Senate Bill 310 for second reading. The bill was read a second time by title.

SENATE MOTION
 (Amendment 310-2)

Madam President: I move that Senate Bill 310 be amended to read as follows:

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

"SECTION 1. IC 6-1.1-46 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 46. County Option Deduction for Land Bank Transferees

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

(1) "Deduction allowance period" for a county means the period:

- (A) beginning on January 1 of the year immediately following the year in which the county fiscal body adopts an ordinance under section 2 of this chapter to have this chapter apply in the county; and**
- (B) ending on January 1 of the year immediately following the year in which the fifth anniversary of the termination date of the eligible transfer period occurs, if the county fiscal body has adopted an ordinance specifying the termination date of the eligible transfer period under section 4 of this chapter.**

(2) "Eligible transfer period" for a county means the period:

- (A) beginning on the date the county fiscal body adopts an ordinance under section 2 of this chapter to have this chapter apply in the county; and**
- (B) ending on the termination date specified in an ordinance adopted by the county fiscal body under section 4 of this chapter, if any.**

(3) "Land bank" has the meaning set forth in IC 36-7-38-1.

Sec. 2. (a) A county fiscal body of a county in which a land bank is established may adopt an ordinance to have this chapter apply in the county.

(b) An ordinance adopted under this section must specify the percentage of assessed valuation to use in computing the deduction provided by this chapter. The percentage must be at least twenty-five percent (25%) and at most fifty percent (50%).

(c) If a county fiscal body wishes to adopt an ordinance under this section, the county fiscal officer shall, in addition

to any other notices required for the adoption of an ordinance, issue a notice to the fiscal officer of each taxing unit that would be affected by the adoption of the ordinance at least twenty-one (21) days before the date on which the county fiscal body intends to hold a hearing on the proposed ordinance.

(d) After the county fiscal body hears the public testimony on the proposed ordinance, the county fiscal body may adopt an ordinance to have this chapter apply in the county.

Sec. 3. If an ordinance adopted under section 2 of this chapter is in effect in a county, subject to the requirements of section 2 of this chapter, the county fiscal body may adopt an ordinance that changes the percentage of assessed valuation to use in computing the deduction provided by this chapter.

Sec. 4. (a) If an ordinance adopted under section 2 of this chapter is in effect in a county, the county fiscal body may adopt an ordinance specifying the date on which the eligible transfer period is to terminate.

(b) If a county fiscal body has adopted an ordinance under subsection (a), the ordinances adopted under this chapter expire on January 1 of the year immediately following the year in which the fifth anniversary of the termination date of the eligible transfer period occurs.

Sec. 5. If an ordinance adopted under section 2 of this chapter is in effect in a county, a person to whom a land bank transfers real property in a county during the eligible transfer period is entitled to a deduction from the assessed value of the real property for each of the five (5) consecutive years immediately following the year in which the land bank transfers the real property to the person in an amount equal to:

- (1) the percentage specified in an ordinance adopted under section 2 or 3 of this chapter, as applicable; multiplied by
- (2) the assessed value of the property transferred by the land bank to the person.

Sec. 6. (a) If an ordinance adopted under section 2 of this chapter is in effect in a county, each land bank that is located in the county shall transmit a report to the county auditor before February 1 of each year in the deduction allowance period in the manner prescribed by the county auditor that provides the information specified in subsection (b) for each property transferred by the land bank:

- (1) after the later of:
 - (A) the date on which the eligible transfer period began; or
 - (B) January 1 of the fifth year immediately preceding the year in which the report is due; and
- (2) before the earlier of:
 - (A) the termination date of the eligible transfer period as specified in an ordinance adopted under section 4 of this chapter, if any; or
 - (B) January 1 of the year in which the report is due.

(b) For each item of real property included in a report

required under subsection (a), a land bank shall furnish the following information:

- (1) The date on which the real property was transferred.
- (2) The person to whom the land bank transferred the real property.
- (3) The street address of the real property, if any.
- (4) The key number of the real property.

Sec. 7. (a) This section applies if an ordinance adopted under section 2 of this chapter is in effect in a county.

(b) Each year in a county's deduction allowance period, for each report received from a land bank under section 6 of this chapter, the county auditor shall prepare a list of those properties described in the report that, on January 1 of the year, continued to be owned by the person to whom the real property was transferred by the land bank.

Sec. 8. A taxpayer who is eligible for the deduction provided by this chapter is not required to take any action in order to receive the deduction. A county auditor shall apply the appropriate deduction to the assessed values of the eligible properties based on the information received from the land banks in the county under section 6 of this chapter and other information available to the county auditor.

SECTION 2. IC 6-1.1-47 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 47. County Option Allocation of Property Taxes Paid on Property Transferred by Certain Entities

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

- (1) "Eligible transfer of real property" means the transfer of an item of real property by a transferring entity under any of the following statutes:
 - (A) IC 36-7-14-22.5.
 - (B) IC 36-7-15.1-15.5.
 - (C) IC 36-7-38.
- (2) "Land bank" has the meaning set forth in IC 36-7-38-1.
- (3) "Redevelopment commission" includes:
 - (A) a redevelopment commission established under IC 36-7-14; and
 - (B) a metropolitan development commission established under IC 36-7-15.1.
- (4) "Transferring entity" means:
 - (A) a land bank; or
 - (B) a redevelopment commission.

Sec. 2. (a) A county fiscal body of a county in which a transferring entity is authorized to operate may adopt an ordinance to have this chapter apply in the county.

(b) An ordinance adopted under this section must specify the percentage of property tax revenue that is to be allocated to transferring entities under this chapter. The percentage must be at least twenty-five percent (25%) and at most fifty percent (50%).

(c) If a county fiscal body wishes to adopt an ordinance under this section, the county fiscal officer shall, in addition to any other notices required for the adoption of an ordinance, issue a notice to the fiscal officer of each taxing unit that would be affected by the adoption of the ordinance at least twenty-one (21) days before the date on which the county fiscal body intends to hold a hearing on the proposed ordinance.

(d) After the county fiscal body hears the public testimony on the proposed ordinance, the county fiscal body may adopt an ordinance to have this chapter apply in the county.

Sec. 3. If an ordinance adopted under section 2 of this chapter is in effect in a county, subject to the requirements of section 2 of this chapter, the county fiscal body may adopt an ordinance changing the percentage of property tax revenue that is to be allocated to transferring entities under this chapter.

Sec. 4. If an ordinance adopted under section 2 of this chapter is in effect in a county, the county fiscal body may rescind the ordinance.

Sec. 5. An ordinance adopted under this chapter is effective January 1 of the year following the year in which the ordinance is adopted.

Sec. 6. (a) If an ordinance adopted under section 2 of this chapter is in effect in a county for a year, each transferring entity that is located in the county shall transmit a report to the county auditor before February 1 of the year in the manner prescribed by the county auditor that provides the information specified in subsection (b) for each eligible transfer of real property by the transferring entity:

(1) on or after the later of:

(A) the date on which the ordinance adopted under section 2 of this chapter became effective in the county; or

(B) January 1 of the fifth year immediately preceding the year in which the report is due; and

(2) before January 1 of the year in which the report is due.

(b) For each eligible transfer of real property included in a report required under subsection (a), a transferring entity shall furnish the following information:

(1) The date on which the real property was transferred.

(2) The person to whom the transferring entity transferred the real property.

(3) The street address of the real property, if any.

(4) The key number of the real property.

Sec. 7. (a) For each year in which an ordinance adopted under section 2 of this chapter is in effect in a county, for each list submitted by a transferring entity under section 6 of this chapter, the county auditor shall allocate the property taxes collected for the items of real property on the list as follows:

(1) The percentage specified in an ordinance adopted under section 2 or 3 of this chapter, as applicable, to the

transferring entity.

(2) One hundred percent (100%) minus the percentage described in subdivision (1) to the respective taxing districts in which the properties are located.

Subject to annual appropriation by the county fiscal body, the county auditor shall distribute amounts allocated under subdivision (1) to the transferring entity at the same time other property taxes are apportioned and distributed. The county auditor shall apportion and distribute the amounts allocated to a taxing district under subdivision (2) among the taxing units of that taxing district in the same manner and at the same time as other property taxes are apportioned and distributed.

(b) If an item of real property is listed on more than one (1) list that the county auditor receives under section 6 of this chapter, the county auditor shall make the allocation required under subsection (a)(1) to the transferring entity that transferred the item of real property most recently.

SECTION 3. IC 36-1-8-16, AS ADDED BY P.L.169-2006, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 16. (a) Except as provided in subsection (e), if a county executive disposes of real property, the property taxes collected for each item of the real property in the first year the item of real property is subject to taxation after the year the real property is sold or otherwise conveyed shall be disbursed to the county executive that sold or otherwise conveyed the item of real property.

(b) Disbursements to the county executive under subsection (a) shall be deposited into the county general fund, the redevelopment fund, the unsafe building fund, or the housing trust fund and shall be used only for one (1) or more of the purposes authorized under IC 36-7-14-22.5 or IC 36-7-15.1-15.5.

(c) The county executive shall forward a copy of each resolution that disposes or otherwise conveys real property to the county auditor.

(d) The disbursement of property taxes under subsection (a) shall terminate in the second year the item of real property is subject to taxation after the property is sold or otherwise conveyed.

(e) This section does not apply to real property to which IC 6-1.1-47 applies."

Renumber all SECTIONS consecutively.

(Reference is to SB 310 as printed January 27, 2017.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 435

Senator Mrvan called up Senate Bill 435 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 435-1)

Madam President: I move that Senate Bill 435 be amended to read as follows:

Page 1, line 3, after "7." insert "(a) As used in this section, "mental health wellness education" means the provision of information concerning mental health and mental illness, including bringing awareness to the following:

- (1) The stigma associated with mental illness.
- (2) Resources to seek help and support concerning mental health.
- (3) The importance of positive mental health.
- (4) Experiences and understanding of mental health and mental illnesses.

(b)".

Page 2, line 9, delete "the" and insert "any of the following:

- (i) Anxiety disorders.
- (ii) Hyperactivity disorders.
- (iii) Eating disorders.
- (iv) Self-mutilation.
- (v) Depression.
- (vi) Schizophrenia.
- (vii) The".

(Reference is to SB 435 as printed February 7, 2017.)

MRVAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 455

Senator Head called up Senate Bill 455 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 500

Senator Freeman called up Senate Bill 500 for second reading. The bill was re-read a second time by title.

SENATE MOTION
(Amendment 500-4)

Madam President: I move that Senate Bill 500 be amended to read as follows:

Page 2, delete lines 19 through 24.

(Reference is to SB 500 as reprinted February 14, 2017.)

FREEMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 501

Senator Freeman called up Senate Bill 501 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 501-5)

Madam President: I move that Senate Bill 501 be amended to read as follows:

Page 12, line 14, after "assessment." insert "**However, if an appeal involves a claim of error regarding the description of the property, the identity of the taxpayer, or a tax cap, credit, exemption, or deduction, the taxpayer must file the**

appeal not later than three (3) years after the taxes were first due.".

Page 13, line 6, after "time" insert "**during business hours that is**".

Page 13, line 8, after "appeal." insert "**The county or township official may not require the taxpayer to provide documentary evidence at the preliminary informal meeting.**".

Page 14, line 6, after "hearing." insert "**If a taxpayer appeals the assessment of tangible property under section 1.1 of this chapter, the taxpayer is not required to have an appraisal of the property in order to initiate the appeal or prosecute the appeal.**".

Page 26, line 40, after "treasurer" insert "**and county assessor**".

Page 26, line 41, after "treasurer" insert "**and county assessor**".

Page 26, line 41, after "shall" insert "**each**".

Page 26, line 41, delete "its" and insert "**their**".

Page 27, line 1, after "auditor" insert ", **the county assessor,**".

Page 27, line 12, delete "either".

Page 27, line 12, after "auditor" insert ", **the county assessor,**".

Page 27, line 19, delete "either".

Page 27, line 19, delete "auditor or" and insert "**auditor, the county assessor, or**".

(Reference is to SB 501 as printed February 3, 2017.)

FREEMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 507

Senator Head called up Senate Bill 507 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 507-2)

Madam President: I move that Senate Bill 507 be amended to read as follows:

Page 2, delete lines 21 through 42.

Delete page 3.

Page 4, delete lines 1 through 9.

Page 18, line 28, after "one" insert "**(1)**".

Page 18, line 28, after "additional" delete "(1)".

Page 20, delete lines 6 through 30.

Page 25, delete line 42.

Page 26, delete lines 1 through 8.

Page 31, delete lines 25 through 42.

Page 32, delete lines 1 through 16.

Page 34, delete lines 6 through 42.

Page 35, delete lines 1 through 17.

Renumber all SECTIONS consecutively.

(Reference is to SB 507 as printed February 8, 2017.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 408

Senator Houchin called up Senate Bill 408 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 408-3)

Madam President: I move that Senate Bill 408 be amended to read as follows:

Page 5, line 7, after "persons" insert "**in counties**".

Page 5, between lines 8 and 9, begin a new paragraph and insert:

"(c) Before December 1, 2017, the board shall report to the legislative council in an electronic format under IC 5-14-6 the following information concerning the integration of the INSPECT program data base with electronic health records:

(1) The statewide cost of integration implementation.

(2) A summary of any grants or funding received by the state for integration.

(3) The estimated date of completion of statewide integration implementation.

(4) The estimated future maintenance costs of integration.

This subsection expires December 31, 2017."

Page 7, line 33, delete "," and insert "**and beginning July 1, 2018,**".

Page 8, line 33, strike "access".

Page 8, line 33, after "a" insert "**obtain**".

Page 8, line 33, after "the patient's" insert "**INSPECT program**".

Page 8, line 33, after "report" insert ".".

Page 8, line 34, strike "from the INSPECT program".

(Reference is to SB 408 as printed February 10, 2017.)

HOUCHIN

Motion prevailed. The bill was ordered engrossed.

**ENGROSSED SENATE BILLS
ON THIRD READING**

Engrossed Senate Bill 13

Senator Tomes called up Engrossed Senate Bill 13 for third reading:

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning criminal law and procedure.

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

Roll Call 107: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Smaltz.

Engrossed Senate Bill 15

Senator Tomes called up Engrossed Senate Bill 15 for third reading:

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

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

Roll Call 108: yeas 38, nays 12. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Friend and Miller.

Engrossed Senate Bill 34

Senator Merritt called up Engrossed Senate Bill 34 for third reading:

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

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

Roll Call 109: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Behning.

Engrossed Senate Bill 38

Senator Zakas called up Engrossed Senate Bill 38 for third reading:

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

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

Roll Call 110: yeas 31, nays 19. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Steuerwald.

Engrossed Senate Bill 105

Senator Houchin called up Engrossed Senate Bill 105 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

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

Roll Call 111: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Steuerwald.

Engrossed Senate Bill 166

Senator Sandlin called up Engrossed Senate Bill 166 for third reading:

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

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

Roll Call 112: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives McNamara, Mahan and Kirchhofer.

Engrossed Senate Bill 263

Senator L. Brown called up Engrossed Senate Bill 263 for third reading:

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

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

Roll Call 113: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Heine and Ober.

Engrossed Senate Bill 303

Senator Koch called up Engrossed Senate Bill 303 for third reading:

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

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

Roll Call 114: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Kirchhofer.

Engrossed Senate Bill 315

Senator Becker called up Engrossed Senate Bill 315 for third reading:

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

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

Roll Call 115: yeas 32, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Bacon, Kirchhofer and Austin.

Engrossed Senate Bill 332

Senator Zakas called up Engrossed Senate Bill 332 for third reading:

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

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

Roll Call 116: yeas 47, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Steuerwald and Olthoff.

Engrossed Senate Bill 337

Senator G. Taylor called up Engrossed Senate Bill 337 for third reading:

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

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

Roll Call 117: yeas 35, nays 15. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Behning, V. Smith and Porter.

Engrossed Senate Bill 383

Senator Crider called up Engrossed Senate Bill 383 for third reading:

A BILL FOR AN ACT concerning public safety.

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

Roll Call 118: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Cherry.

Engrossed Senate Bill 384

Senator Crider called up Engrossed Senate Bill 384 for third reading:

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

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

Roll Call 119: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frye.

Engrossed Senate Bill 387

Senator Tomes called up Engrossed Senate Bill 387 for third reading:

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

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

Roll Call 120: yeas 36, nays 14. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Washburne.

Engrossed Senate Bill 405

Senator Houchin called up Engrossed Senate Bill 405 for third reading:

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

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

Roll Call 121: yeas 48, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Steuerwald.

Engrossed Senate Bill 421

Senator Bassler called up Engrossed Senate Bill 421 for third reading:

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

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

Roll Call 122: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Wolkins.

Engrossed Senate Bill 442

Senator Walker called up Engrossed Senate Bill 442 for third reading:

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

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

Roll Call 123: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Richardson, M. Smith and Wesco.

Engrossed Senate Bill 443

Senator Bray called up Engrossed Senate Bill 443 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

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

Roll Call 124: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Carbaugh.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1507

Senator Charbonneau called up Engrossed House Bill 1507 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

SENATE MOTION

Madam President: I move that the Senate Standing Rules 79(b) and 86(k) be amended to read as follows:

79. (a) No Senate bill or joint resolution amending the Constitution shall be called for third reading after February 28 in the first session or February 6 in the second session.

(b) No House bill or joint resolution amending the Constitution shall be called for third reading in the Senate after ~~April 12~~ **April 6** in the first session or March 6 in the second session.

(c) No House bill or joint resolution amending the Constitution shall be received by the Senate after noon on the next business day following the House's third reading deadline established by the Rules for the Government of the House.

(d) The limitations set forth in this Rule shall not apply to bills concerning reapportionment and redistricting only.

86. Each report of a conference committee for the adjustment of differences between the Senate and House, together with a digest of the bill and the changes made, shall be reduced to writing, signed by the appointed conferees, reviewed by the Majority Attorney and Minority Attorney, filed with the Office of the Principal Secretary at least eight (8) hours before action is taken thereon, and distributed to the Senators at least four (4) hours before action is taken thereon. If approved by the President Pro Tempore, electronic signature PINs may be accepted.

(b) The four (4) appointed conferees must sign the conference committee report before said report will be accepted for filing. The conference committee report may only be carried for signature by members of the legislature or authorized staff of the Senate or House.

(c) All conference committee reports requiring title amendments shall be stamped "Title Amendment."

(d) No conference committee report shall be referred to the Senate until such time as it has been drawn or approved as to form by both the Majority Attorney and the Minority Attorney.

(e) Any conference committee report which contains subject matter not previously passed by at least one House shall be referred to the Committee on Rules and Legislative Procedure; provided, however, this Rule does not apply to conference committee reports on the appropriation bills. If a conference committee report containing a subject matter not previously passed by at least one House is approved by the Committee on Rules and Legislative Procedure, such report shall be placed on a separate calendar with the heading "Rule 86 (e) Conference Committee Reports".

(f) No more than one (1) conference committee report on a bill or joint resolution shall be eligible for consideration at one time by the Senate.

(g) A conference committee report shall be called for action only by the first Senate conferee. If the first Senate conferee is absent from the floor, the second Senate conferee may make the call if permission of the first Senate conferee has been granted, either in writing or by oral communication verified by the President Pro Tempore or member designated by the President Pro Tempore.

(h) A conference committee report which is eligible for consideration may be withdrawn only with the approval of the Senate upon a written motion made by the first Senate conferee.

(i) In order to pass, a conference committee report must be approved by a majority of the members elected. Such majority shall be established by roll call vote. A conference committee report that has not received a constitutional majority of votes against its passage (26 or more nays) may be called down at any time by the Senate conferee for a second and final vote.

(j) Adoption of a conference committee report by the Senate may only be withdrawn when all of the following are met:

(1) A joint agreement between the President Pro Tempore

and the Minority Floor Leader that a clear error exists in the adopted conference committee report and withdrawal of the report is necessary to correct the error;

(2) A written motion if offered by the first Senate conferee and approved by a majority of the members present and voting; and

(3) The enrolled act has not yet been delivered to the Governor's Office.

(k) In the first regular session, no conference committee report is eligible for consideration after ~~April 12~~, **April 6**, unless approved by the Committee on Rules and Legislative Procedure.

(l) In the second regular session, no conference committee report is eligible for consideration after March 6, unless approved by the Committee on Rules and Legislative Procedure.

(m) Upon recommendation of the Committee on Rules and Legislative Procedure subsections (k) and (l) of this rule may be suspended as to a specific bill by the approval of a constitutional majority.

Pursuant to Senate Rule 35(b), the Motion was referred to the Committee on Rules and Legislative Procedure without debate.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred the motion of Senator Long requesting amendment of Senate Rule 79(b), to change the deadline for the Senate to call House bills or House joint resolutions for third reading during the first regular session of the 120th General Assembly to April 6, 2017, and the corresponding deadline in Senate Rule 86(k), requiring conference committee reports to be approved by the Committee on Rules and Legislative Procedure, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said motion be adopted.

LONG, Chair

Report adopted.

Motion prevailed.

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Tuesday, February 14, 2017, signed House Enrolled Act: 1230.

DAVID C. LONG
President Pro Tempore

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 15 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1009, 1013, 1085, 1089, 1157, 1211, 1243, 1351, 1370, 1467, 1520 and 1642 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 7 and 13 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1507.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as cosponsor of House Concurrent Resolution 22.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buck, Charbonneau, Crane, Crider, Delph, Doriot, Eckerty, Ford, Freeman, Glick, Grooms, Head, Hershman, Holdman, Houchin, Kenley, Koch, Kruse, Lanane, Leising, Long, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Ruckelshaus, Sandlin, J. Smith, Stoops, G. Taylor, Tomes, Walker, M. Young, Zakas and Zay be added as coauthors of Senate Concurrent Resolution 7.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as coauthor of Senate Bill 13.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be removed as second author of Senate Bill 15.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author and Senator Doriot be added as third author of Senate Bill 15.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as coauthor of Senate Bill 15.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as coauthor of Senate Bill 15.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 119.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 166.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author of Senate Bill 235.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 277.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 298.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 315.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as coauthor of Senate Bill 322.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 337.

G. TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niemeyer be added as second author of Senate Bill 381.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as second author of Senate Bill 387.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 387.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second author of Senate Bill 429.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niemeyer be added as third author of Senate Bill 429.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 435.

MRVAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 443.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Ford and Sandlin be added as coauthors of Senate Bill 494.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 498.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 499.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as coauthor of Senate Bill 500.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 506.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 521.

J. SMITH

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, February 16, 2017.

LONG

Motion prevailed.

The Senate adjourned at 4:18 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate