



Journal of the House

State of Indiana

119th General Assembly

Second Regular Session

Twenty-eighth Day

Thursday Morning

March 3, 2016

The invocation was offered by Pastor Shan Rutherford, Greenwood Christian Church, a guest of Representative Woody Burton.

The House convened at 9:00 a.m. with Speaker Brian C. Bosma in the Chair.

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

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

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

Torr	Wolkins
Truitt	Wright
VanNatter	Zent
Washburne	Ziemke
Wesco	Mr. Speaker

Roll Call 331: 96 present; 4 excused. The Speaker announced a quorum in attendance. [NOTE: indicates those who were excused.]

NOMINATION AND CONFIRMATION OF LIEUTENANT GOVERNOR

February 29, 2016

Ms. M. Caroline Spotts
Principal Clerk
Indiana House of Representatives
200 W. Washington St.
Indianapolis, IN 46204

Ms. Jennifer Mertz
Principal Secretary
Indiana Senate
200 W. Washington St.
Indianapolis, IN 46204

Dear Caroline and Jennifer,

Pursuant to Indiana Code 5-8-3.5-1(a)(1), this letter is my official notification to you of my resignation from the office of Lieutenant Governor of Indiana, effective at 5:00 p.m., Wednesday, March 2, 2016. I have attached a copy of my resignation letter to Governor Pence.

Respectfully,

Sue Ellspermann
Lieutenant Governor

February 29, 2016

Dear Governor Pence,

It has been my honor to serve you and our great State as Indiana's 50th Lieutenant Governor. I am extremely proud of the many successes we have achieved during the past three years. From record numbers of jobs and investment in career and technical education to more than 350,000 Hoosiers enrolled in HIP 2.0 receiving consumer-driven, comprehensive healthcare, we have made great progress in making Indiana a State that Works.

Traveling across Indiana to all 92 counties, I have been privileged to hear the hopes, dreams and concerns of Hoosiers. This focused the work of the Lieutenant Governor's office and agencies. Our accomplishments led to significant results which helped to grow Indiana agriculture, reduce blights, enhance rural broadband, strengthen communities, energize entrepreneurship, increase tourism, expand the defense and life sciences industries, and improve the alignment of education and career training toward the needs of employers. And, we created a

culture of creative problem solving and lean management leading to an empowered, efficient team focused on providing excellent service to Hoosiers every day. We saw performance go from good to great, as you requested, and for which I am very proud.

There are many challenges that remain, but none more important than increasing the postsecondary credentials of Hoosiers to fill the skilled workforce needs of Indiana employers and improve the opportunities of prosperity for families.

It is with a conflicted heart that I shared my resignation effective Wednesday, March 2, 2016 at 5:00 p.m. The opportunity to serve you and the wonderful people across Indiana as Lieutenant Governor has been the privilege of a lifetime. I am encouraged about the future of Indiana and look forward to continuing to serve Hoosiers in a meaningful way.

Most sincerely,

Sue Ellspermann, PhD
Lieutenant Governor

February 29, 2016

Connie Lawson
Secretary of State
200 West Washington Street, Room 201
Indianapolis, Indiana 46204

Dear Secretary Lawson,

Attached you will find the letter of resignation of Lieutenant Governor Sue Ellspermann, which I am filing with your office pursuant to IC 5-8-3.5-1(a)(1).

Please do not hesitate to contact me if you need additional information.

Very truly yours,

Caroline Spotts, Principal Clerk
Indiana House of Representatives
119th General Assembly

March 2, 2016

Honorable Brian Bosma
Speaker of the Indiana House of Representatives
200 West Washington St.
Indianapolis, IN 46204

Honorable David Long
President Pro Tempore of the Indiana Senate
200 West Washington St.
Indianapolis, IN 46204

RE: NOMINATION AND REQUEST FOR CONFIRMATION
OF ERIC J. HOLCOMB FOR LIEUTENANT GOVERNOR
OF INDIANA

Dear Speaker Bosma and President Pro Tempore Long:

On Monday, February 29, 2016, Lieutenant Governor Sue Ellspermann submitted to me her resignation from the office of Lieutenant Governor of Indiana which was effective at 5:00 p.m. today, March 2, 2016.

Further, I am in receipt of notice from Ms. Spotts, the Principal Clerk of the Indiana House of Representatives and Ms. Mertz, the Principal Secretary of the Indiana Senate that they have received Lieutenant Governor Ellspermann's notice of resignation.

As a vacancy now exists in the office of Lieutenant Governor of Indiana, I as Governor of Indiana, pursuant to Article 5, Section

10(b) of the Constitution of Indiana, nominate Eric J. Holcomb as Lieutenant Governor of Indiana and respectfully request that both houses of the Indiana General Assembly confirm Mr. Holcomb as Lieutenant Governor of Indiana for the remainder of the unexpired term of Lieutenant Governor Ellspermann.

Attached hereto is a sworn and notarized affidavit executive by Mr. Holcomb stating that he is qualified to serve as Lieutenant Governor in accordance with the provisions of Article 5, Sections 7 and 8, of the Constitution of Indiana and that no other constitutional or statutory disabilities exist that would in any other manner prohibit him from accepting the office and discharging the duties of Lieutenant Governor of Indiana.

Respectfully,

Michael R. Pence
Governor

AFFIDAVIT

I, Eric J. Holcomb, hereby affirm under penalty of perjury the truth of the following requirements for the office of Lieutenant Governor of Indiana:

- Pursuant to Article 5, Section 7 of the Constitution of Indiana:
 - I was born in Indianapolis, Indiana and I have been a citizen of the United States of America for 47 years.
 - I have been a resident of the State of Indiana for a period of at least five (5) years preceding this appointment.
 - I am 47 years of age, date of birth: May 2, 1968
- As contemplated by Article 5, Section 8 of the Constitution of Indiana, I am not a member of Congress nor do I hold any office under the United States or under this State.
- There are no other constitutional or statutory limitations that would in any manner limit my ability to accept and discharge the duties of Lieutenant Governor of Indiana.

Further affiant sayeth not.

Dated this 23rd day of February, 2016,

Eric J. Holcomb

Subscribed and sworn to before me, this 23rd day of February, 2016.

William Wallace Barrett
Notary Public of the State of Indiana
My commission expires: January 17, 2021

RESOLUTIONS ON FIRST READING

House Resolution 46

Representative Bosma introduced House Resolution 46:

A HOUSE RESOLUTION to confirm the nomination of Eric Holcomb to take office as Lieutenant Governor.

Whereas, Upon Lieutenant Governor Sue Ellspermann's resignation from the office of Lieutenant Governor effective March 2, 2016, at 5:00 PM (EST), there was a vacancy in the office of Lieutenant Governor;

Whereas, Under Article 5, Section 10(b) of the Constitution of the State of Indiana, the Governor shall nominate a Lieutenant Governor who shall take office upon confirmation by a majority vote of each house of the General Assembly and hold office for the unexpired term of the previous Lieutenant Governor; and

Whereas, During the Second Regular Session of the 119th Indiana General Assembly, the Governor has nominated Eric Holcomb to take office as Lieutenant Governor: Therefore,

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

SECTION 1. That the Indiana House confirms the nomination of Eric Holcomb to take the office of Lieutenant Governor to fill the unexpired term of former Lieutenant Governor Sue Ellspermann.

SECTION 2. The Principal Clerk of the House of Representatives is hereby directed to transmit a copy of this Resolution to Governor Michael R. Pence and President Pro Tempore David Long.

The resolution was read a first time and adopted. Roll Call 332: yeas 91, nays 3.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Friday, March 4, 2016, at 11:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has voted to confirm the nomination of Eric Holcomb as the Lieutenant Governor of the State of Indiana.

JENNIFER L. MERTZ
Principal Secretary of the Senate

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

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):

- EHB 1001 Conferees: Soliday and Forestal
Advisors: T. Brown, Huston, Sullivan, Frye, Austin, Goodin, Porter
- EHB 1002 Conferees: Bosma and V. Smith
Advisors: Cook and Moed
- EHB 1019 Conferees: Mahan and Lawson
Advisors: Price, Steuerwald, DeLaney, Pryor, Riecken
- EHB 1028 Conferees: Truitt and Hale
Advisors: Lehman, Rhoads, Riecken
- EHB 1069 Conferees: Zent and Lawson
Advisors: Washburne, McNamara, Hale
- EHB 1087 Conferees: Soliday and Stemler
Advisors: Frye, Speedy, Forestal
- EHB 1089 Conferees: Frye and Macer
Advisors: Baird, Soliday, Forestal
- EHB 1110 Conferees: Huston and Porter
Advisors: T. Brown, Schaibley, Soliday, Moed, Pryor
- EHB 1127 Conferees: Lehman and Austin
Advisors: Heaton, Washburne, DeLaney, Moed
- EHB 1136 Conferees: Lehman and Hale
Advisors: Borders, Mayfield, Austin
- EHB 1161 Conferees: Gutwein and Niezgodski
Advisors: T. Brown, Ober, Moseley
- EHB 1211 Conferees: Carbaugh and Moed
Advisors: Smaltz, Ziemke, Pierce

- EHB 1231 Conferees: Arnold and Kersey
Advisors: Karickhoff, Eberhart, Stemler, Errington
- EHB 1272 Conferees: Zent and Bauer
Advisors: Clere, Frizzell, C. Brown, Shackelford
- EHB 1290 Conferees: T. Brown and Porter
Advisors: Huston, Slager, C. Brown
- EHB 1344 Conferees: Leonard and Moseley
Advisors: Wesco, Ober, Bartlett
- EHB 1353 Conferees: Karickhoff and Pierce
Advisors: Thompson, Sullivan, Kersey
- EHB 1372 Conferees: Lehman and Riecken
Advisors: Miller, Cox, Pryor

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

- ESB 279 Conferees: Truitt and Pierce
Advisors: Thompson, Cook, DeLaney
- ESB 295 Conferees: Baird and Macer
Advisors: Frye, Soliday, GiaQuinta, Bartlett

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 357

Representative Morris called down Engrossed Senate Bill 357 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 333: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1105 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

HALE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1263 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

KIRCHHOFER

Motion prevailed.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 12:50 p.m. with the Deputy Speaker Pro Tempore, Representative Karickhoff, in the Chair.

Upon request of Representative Pierce, the Speaker ordered the roll of the House to be called to determine the presence of

a quorum. Roll Call 334: 78 present. The Speaker declared a quorum present.

RESOLUTIONS ELIGIBLE FOR ADOPTION

House Concurrent Resolution 55

The Speaker handed down on its passage House Concurrent Resolution 55, introduced by Representatives Stemler, Goodin, Clere, Frye, Arnold, Bacon, Lyness, McNamara, Rhoads, Riecken, Sullivan, Lehman, Saunders and Pierce:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename the East End Bridge across the Ohio River as the "Lewis and Clark Bridge".

The resolution was read a second time and adopted. Roll Call 335: yeas 91, nays 0. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Grooms, Becker, Smith, Perfect, Messmer, Houchin and Tomes.

Senate Concurrent Resolution 54

The Speaker handed down Senate Concurrent Resolution 54, sponsored by Representatives Moseley, Pelath and Soliday:

A CONCURRENT RESOLUTION honoring the Chesterton High School debate team for their 26th state championship.

Whereas, The Chesterton High School Debate Team captured the state title with a victory over rival West Lafayette High School at the Indiana High School Forensic Association (IHSFA) Championship Tournament;

Whereas, Chesterton High School won by a score of 97 to West Lafayette's 85.5, and Valparaiso was third with a score of 49.5;

Whereas, The Chesterton High School Debate Team program was established in 1967;

Whereas, The Chesterton High School Debate Team victory this year is the school's 26th victory in the program's history, and their 17th win in the last 20 years;

Whereas, In the Public Forum Debate, Hunter Warren and Eric Richardson were runners up; and the debate teams of Hayden Hodge and Mark Wilcox, and Victoria Bain and Nate Scheerer tied for third;

Whereas, All four Congressional Debaters advanced to the final round, with Creighton Gaff coming in fourth overall, Megan Daye coming in sixth, Michelle Reynolds coming in seventh, and Natalie Kezy in fifteenth overall;

Whereas, John Mario, Ayesha Khan, Josh Hogan, Sam Winski, and Paul Petro comprised Chesterton's World School debate team and came in third place in the event's inaugural year;

Whereas, Tim Vincent and Joel Peterson defeated their teammates Adam Myers and Connor Wantuch to win the State Championship in Policy debate;

Whereas, The Chesterton High School Debate Team has the following members, Katrina Balon, Hannah Geiss, Quinlan Doolin, Camma Duhamell, Eli Winski, Kevin Jugovic, Fred Owens, Nate Poczekay, Edward Young, Samuel Gutierrez, Natalie Kezy, Megan Daye, Michelle Reynolds, Hayden Hodge, Mark Wilcox, Victoria Bain, Nate Scheerer, John Mario, Ayesha Khan, Josh Hogan, Sam Winski, Paul Petro, Creighton Gaff, Hunter Warren, Eric Richardson, Connor Wantuch, Adam Myers, Joel Peterson, and Tim Vincent;

Whereas, The Chesterton High School team is led by coaches Chris Lowery, Joshua Coots, and Dakota McCoy, the

Chesterton High School principal is Jeffrey Van Drie, and the Superintendent of Duneland Schools is Dr. David Pruis;

Whereas, The art of debating has a long and honorable history throughout the United States and the world; and

Whereas, The ability to speak eloquently and to affect the opinion of others is a valuable skill for the youth of today: Therefore,

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

SECTION 1. That the Indiana General Assembly honors the Chesterton High School Debate Team on their state championship win and encourages them to continue to polish their skills in the age-old art of public speaking.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Coach Chris Lowry, the Chesterton High School Debate Team, and Chesterton High School.

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

Senate Concurrent Resolution 41

The Speaker handed down Senate Concurrent Resolution 41, sponsored by Representative Washburne:

A CONCURRENT RESOLUTION congratulating Jackie Young for being named Indiana's all-time leading high school basketball scorer.

Whereas, Jackie Young, a senior at Princeton High School, surpassed Damon Bailey, a former Bedford North Lawrence student, as Indiana's all-time leading high school basketball scorer, for both males and females, with 3,268 points;

Whereas, Young averages 37.8 points a game and recently surpassed Shanna Zolman's women's basketball scoring record of 3,085 points;

Whereas, In November, Young, a 6-foot guard, signed with the University of Notre Dame;

Whereas, Among her many accomplishments, Young is the number 11 prospect for the 2016 espnW HoopGurlz Top 100, was named a McDonald's All American, and is ranked as the number five recruiting prospect and number one wing player on the women's basketball recruiting site ProspectsNation.com; and

Whereas, It is fitting Young be recognized for her record-breaking talents, dedication to her team, and notable academic record, carrying a 3.9 GPA: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Jackie Young for being named Indiana's all-time high school basketball scorer.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Jackie Young and Princeton High School Principal, Steve Hauger.

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

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation,

to which was referred House Concurrent Resolution 47, has had the same under consideration and begs leave to report the same back to the House with the recommendation that resolution do pass.

Committee Vote: yeas 12, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Resolution 40, has had the same under consideration and begs leave to report the same back to the House with the recommendation that resolution bill do pass.

Committee Vote: yeas 12, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Concurrent Resolution 13, has had the same under consideration and begs leave to report the same back to the House with the recommendation that resolution do pass.

Committee Vote: yeas 12, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Concurrent Resolution 14, has had the same under consideration and begs leave to report the same back to the House with the recommendation that resolution do pass.

Committee Vote: yeas 12, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Concurrent Resolution 18, has had the same under consideration and begs leave to report the same back to the House with the recommendation that resolution do pass.

Committee Vote: yeas 12, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Concurrent Resolution 36, has had the same under consideration and begs leave to report the same back to the House with the recommendation that resolution do pass.

Committee Vote: yeas 12, nays 0.

SOLIDAY, Chair

Report adopted.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 381

Representative T. Brown called down Engrossed Senate Bill 381 for third reading:

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

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

Roll Call 336: yeas 91, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative McNamara is excused.

Engrossed Senate Bill 339

Representative Morrison called down Engrossed Senate Bill 339 for third reading:

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

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

Roll Call 337: yeas 82, 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 Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 335

Representative Bacon called down Engrossed Senate Bill 335 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 338: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

RECESS

The House recessed for the swearing in ceremony for Lieutenant Governor Eric Holcomb.

[Journal Clerk's Note: the swearing in ceremony was held at 2:00 p.m. in the Statehouse Rotunda. Justice Mark S. Massa administered the oath of office to Lieutenant Governor Eric J. Holcomb, which oath is as follows:

"I, Eric J. Holcomb, do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of Indiana, and that I will faithfully, impartially and diligently discharge the duties of the office of Lieutenant Governor of the State of Indiana, according to law and to the best of my ability, so help me God."]

The House reconvened at 2:57 p.m. with the Speaker in the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore has appointed the following Senators a conference committee to confer on Engrossed Senate Bill 80

Conferees: Head, Chairman; and Rogers
Advisors: M. Young, Breaux, L. Brown, Steele

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore has appointed the following Senators a conference committee to confer on Engrossed Senate Bill 93

Conferees: Kruse, Chairman; and Rogers
Advisors: Yoder, Mrvan, Hershman

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore has appointed the following Senators a conference committee to confer on Engrossed Senate Bill 308

Conferees: Hershman, Chairman; and Mrvan
Advisors: Bassler, Broden, Perfect

JENNIFER L. MERTZ
Principal Secretary of the Senate

Representative Goodin is excused.

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):

EHB 1105 Conferees: Olthoff and Hale
Advisors: Washburne, Kirchofer,
McNamara, Porter

EHB 1263 Conferees: Kirchofer and Austin
Advisors: Zent, C. Brown, Moseley

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

ESB 80 Conferees: Smaltz and C. Brown
Advisors: Davisson, Bacon,
Shackleford, Bauer

ESB 93 Conferees: Behning and V. Smith
Advisors: Rhoads, Cook, Bartlett

ESB 161 Conferees: Frizzell and C. Brown
Advisors: Smaltz, Davisson,
Shackleford, Bauer

ESB 162 Conferees: Kirchofer and Bauer
Advisors: Zent, Clere,
C. Brown, Shackleford

ESB 301 Conferees: Huston and Goodin
Advisors: Truitt, Thompson, Errington

ESB 308 Conferees: T. Brown and Pryor
Advisors: Cherry, Karickhoff, Lehe
Macer, Porter, Moed

ESB 352 Conferees: Frizzell and Bauer
Advisors: Steuerwald and Bartlett

**ENGROSSED SENATE BILLS
ON THIRD READING****Engrossed Senate Bill 334**

Representative DeVon called down Engrossed Senate Bill 334 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 339: yeas 60, nays 33. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

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

Engrossed Senate Bill 333

Representative T. Brown called down Engrossed Senate Bill 333 for third reading:

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

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

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of Engrossed Senate Bill 333. Pursuant to House Rule 46, the reason for the request is the following:

“I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. I am a retired teacher, and this matter will directly benefit me through the issuance of a thirteenth check.”

BAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of Engrossed Senate Bill 333. Pursuant to House Rule 46, the reason for the request is the following:

“I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. I am a retired teacher, and this matter will directly benefit me through the issuance of a thirteenth check.”

KLINKER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of Engrossed Senate Bill 333. Pursuant to House Rule 46, the reason for the request is the following:

“I have a conflict of interest in that the legislative matter could be expected to have a unique, direct and substantial effect on the income of my child’s corporation. Additionally, I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety and bolsters public trust. House Rule 168.”

RIECKEN

Motion prevailed.

The question than was on the passage of the bill. Roll Call 340: yeas 57, nays 35. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 330

Representative T. Brown called down Engrossed Senate Bill 330 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 341: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 309

Representative T. Brown called down Engrossed Senate Bill 309 for third reading:

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

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

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of Engrossed Senate Bill 309. Pursuant to House Rule 46, the reason for the request is the following:

“I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. I am directly impacted by the reporting requirements for ‘facilitators’ as defined in the bill.”

AUSTIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of Engrossed Senate Bill 309. Pursuant to House Rule 46, the reason for the request is the following:

“I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. I am directly impacted by the reporting requirements for ‘facilitators’ as defined in the bill.”

MOED

Motion prevailed.

The question then was on the passage of the bill. Roll Call 342: yeas 88, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 306

Representative Mahan called down Engrossed Senate Bill 306 for third reading:

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

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

Roll Call 343: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 255

Representative Wolkins called down Engrossed Senate Bill 255 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 344: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the

act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 253

Representative Washburne called down Engrossed Senate Bill 253 for third reading:

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

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

Roll Call 345: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 250

Representative Koch called down Engrossed Senate Bill 250 for third reading:

A BILL FOR AN ACT 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 346: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 234

Representative Behning called down Engrossed Senate Bill 234 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 347: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 213

Representative Karickhoff called down Engrossed Senate Bill 213 for third reading:

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

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

Roll Call 348: yeas 90, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**MOTIONS TO CONCUR
IN SENATE AMENDMENTS**

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1013.

KOCH

Roll Call 349: yeas 93, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1022.

BAUER

Roll Call 350: yeas 93, nays 0. Motion prevailed.

Representative Austin is excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1040.

COX

Roll Call 351: yeas 92, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1046.

BEUMER

Roll Call 352: yeas 73, nays 20. Motion prevailed.

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

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1048.

SOLIDAY

Roll Call 353: yeas 94, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1075.

BEUMER

Roll Call 354: yeas 73, nays 21. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1082.

WOLKINS

Roll Call 355: yeas 65, nays 30. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1154.

BRAUN

Roll Call 356: yeas 93, nays 1. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1164.

MAHAN

Roll Call 357: yeas 94, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1172.

SCHAIBLEY

Roll Call 358: yeas 71, nays 22. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1180.

BURTON

Roll Call 359: yeas 94, nays 0. Motion prevailed.

With consent of the members, the Speaker returned to bills on third reading.

**ENGROSSED SENATE BILLS
ON THIRD READING**

Engrossed Senate Bill 165

Representative T. Brown called down Engrossed Senate Bill 165 for third reading:

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

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

Roll Call 360: yeas 61, nays 33. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representatives Behning and Fine are excused.

Engrossed Senate Bill 146

Representative Friend called down Engrossed Senate Bill 146 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 361: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 67

Representative T. Brown called down Engrossed Senate Bill 67 for third reading:

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

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

Roll Call 362: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 30

Representative T. Brown called down Engrossed Senate Bill 30 for third reading:

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

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

Roll Call 363: yeas 90, 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 Clerk was directed to inform the Senate of the passage of the bill.

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

Engrossed Senate Bill 28

Representative Koch called down Engrossed Senate Bill 28 for third reading:

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

The bill was read a third time by sections and placed upon its passage.

HOUSE MOTION
(Amendment 28-11)

Mr. Speaker: I move that Engrossed Senate Bill 28 be recommitted to a Committee of One, its sponsor, with specific instructions to amend as follows:

Page 2, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 3. IC 34-18-2-12.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2017]: **Sec. 12.5. "Final nonappealable judgment" means a final judgment with respect to which:**

- (1) the time for filing an appeal has expired;**
- (2) all appeals have been exhausted; or**
- (3) both.**

A final nonappealable judgment is issued on the date an event described in subdivisions (1) through (3) occurs."

Page 4, line 28, delete "final," and insert "**final**".

Page 5, line 22, delete "judgment or final," and insert "**settlement or final**".

Page 5, line 25, after "final" insert "**nonappealable**".

Page 6, line 25, delete "December 31, 2018." and insert "**June 30, 2019.**".

Page 6, line 37, delete "December 31, 2018." and insert "**June 30, 2019.**".

Page 7, line 17, delete "December 31, 2018." and insert "**June 30, 2019.**".

Renumber all SECTIONS consecutively.

(Reference is to ESB 28 as reprinted March 3, 2016.)

KOCH

There being unanimous consent in favor of the motion, the motion prevailed.

COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred Engrossed Senate Bill 28, begs leave to report that said bill has been amended as directed.

KOCH

There being a two-thirds vote in favor of the report, the report was adopted.

The question then was, Shall the bill pass?

Roll Call 364: yeas 90, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

OTHER BUSINESS ON THE SPEAKER'S TABLE

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David Long has made the following change in advisor appointments to Engrossed House Bill 1005:

Advisor: Bassler

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 pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David Long has made the following change in advisor appointments to Engrossed House Bill 1395:

Advisor: Bassler

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, without amendments, Engrossed House Bills 1017, 1034, 1112, 1181, 1199, 1300 and 1369 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1064, 1222, 1254, 1259, 1313, 1330, 1336, 1340, 1374, 1378 and 1382 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Engrossed Senate Bill 23.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 60, 61, 62, 63, 66 and 67 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 41 and 54 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

HOUSE MOTION

Mr. Speaker: I move that Representative Speedy be removed as coauthor of House Bill 1013.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Huston be added as cosponsor of Engrossed Senate Bill 330.

T. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lawson and Pryor be added as coauthors of House Concurrent Resolution 55.

STEMLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Pryor, Morris, Saunders and Frye be added as coauthors of House Resolution 40.

FORESTAL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bosma be added as coauthor of House Resolution 43.

BARTLETT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lawson be added as cosponsor of Senate Concurrent Resolution 54.

MOSELEY

Motion prevailed.

On the motion of Representative Cook, the House adjourned at 5:28 p.m., this third day of March, 2016, until Friday, March 4, 2016, at 11:00 a.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives