



Journal of the House

State of Indiana

118th General Assembly

Second Regular Session

Twenty-Fourth Day

Wednesday Morning

February 26, 2014

The invocation was offered by Reverend Ricky Main of the Salem Church of the Nazarene in Salem, a guest of Representative Steven J. Davisson.

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

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

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

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

Turner
Ubelhor
VanDenburgh
VanNatter
Washburne

Wesco
Wolkins
Zent
Ziemke
Mr. Speaker

Roll Call 292: 95 present; 5 excused. The Speaker announced a quorum in attendance. [NOTE: indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, February 27, 2014, at 10:00 a.m.

FRIEND

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

House Resolution 37

Representative Moseley introduced House Resolution 37:

A HOUSE RESOLUTION congratulating the Porter County Career and Technical Center Student Mentor Program for receiving the Indiana Award for Excellence.

Whereas, The Porter County Career and Technical Education mentor program's outstanding accomplishments have been rewarded this year with the Indiana Award for Excellence Outstanding Counseling/Guidance Program;

Whereas, Student support coordinators and directors of the mentoring program Kelli Ellis and Kate Sorensen started the program five years ago in Valparaiso;

Whereas, The program has since expanded to Hobart, Chesterton, and Portage;

Whereas, The program allows students from middle schools to meet with high school students currently attending the career center to learn about different careers they might be interested in;

Whereas, Students are enrolled in the program according to their grade point average; and

Whereas, The Porter County Career and Technical Center Student Mentor Program helps students prepare for college, careers, and productive lives: Therefore,

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

SECTION 1. That the Indiana House of Representatives congratulates the Porter County Career and Technical Center Student Mentor Program on being selected as a recipient of the Indiana Award for Excellence.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Kelli Ellis and Kate Sorensen.

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

House Resolution 38

Representative Moseley introduced House Resolution 38:

A HOUSE RESOLUTION honoring Paige Smith

Whereas, Valparaiso High School senior Paige Smith, a mentor and student at the career and technical center in Valparaiso, is a recipient of the Indiana Award for Excellence;

Whereas, Paige was selected out of 80,000 eligible students to receive this award;

Whereas, Paige Smith's focus at the center is on health careers/health occupations, and she has already earned three semesters of scholarship at Ivy Tech Community College through her participation in the Health Occupations Student Association;

Whereas, In addition to her work at the center, Paige is active in her church and numerous volunteer activities;

Whereas, Paige Smith has set a goal of preparing herself to be the best that she can be in the field of medicine; and

Whereas, Paige Smith has dedicated her young life to helping others: Therefore,

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

SECTION 1. That the Indiana House of Representatives congratulates Paige Smith for being named a recipient of the Indiana Award for Excellence and acknowledges the good work of Paige Smith and her tireless dedication to her community and the people who live there.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Paige Smith and her family.

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

House Resolution 39

Representative V. Smith introduced House Resolution 39:

A HOUSE RESOLUTION honoring Helen J. Pettis.

Whereas, Helen J. Pettis dedicated 43 years of her life to AT&T;

Whereas, Helen J. Pettis will be retiring in 2014 after a long and distinguished career in the communications industry;

Whereas, Helen has risen steadily through the ranks at AT&T from her beginnings as a service order writer at Illinois Bell in Hammond to her current position as Area Manager/Network Planning and Engineering at AT&T in Chicago;

Whereas, Helen received a Bachelor of Arts in business management from Indiana University Northwest and a Master's Certification - Project Management from George Washington University, and has studied independently in theology, writing/development, law, sociology, and leadership;

Whereas, In recognition of her outstanding service, Helen J. Pettis has received numerous awards, including the Federal Systems VP Award, two CSD Pinnacle Awards, the Spirit of Communications Award, the NSM Human Spirit Award, the Menhune Award, and the Outstanding Service Award; and

Whereas, Service and dedication such as that displayed by Helen J. Pettis deserve special recognition: Therefore,

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

SECTION 1. That the Indiana House of Representatives congratulates Helen J. Pettis on her retirement and wishes her

continued happiness and prosperity in the years to come.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Helen J. Pettis.

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

House Resolution 40

Representative Kirchhofer introduced House Resolution 40:

A HOUSE RESOLUTION recognizing Brian Wyatt.

Whereas, Brian Wyatt has been selected to receive the Indiana Career and Technical Education Student Award for Excellence;

Whereas, Brian, a student at Walker Career Center, was selected to receive this award because he is one of Indiana's outstanding secondary career and technical education students;

Whereas, Brian participated in the Build and Design portion of the Walker Career Center Nanoline team;

Whereas, The recipient of the award, sponsored by the Indiana Department of Education, is selected from nominations that are reviewed and rated by a selection committee made up of volunteers representing business, industry, state agencies, and education;

Whereas, This committee recommends awardees to the Awards for Excellence Management Team for consideration with a goal of recognizing students based on ratings and each of the career pathways; and

Whereas, Outstanding accomplishments such as this deserve special recognition: Therefore,

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

SECTION 1. That the Indiana House of Representatives congratulates Brian Wyatt on his selection as the recipient of the Indiana Career and Technical Education Student Award for Excellence and urges him to continue to strive for excellence both in and out of the classroom.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Brian Wyatt and his family.

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

House Resolution 41

Representative Turner introduced House Resolution 41:

A HOUSE RESOLUTION honoring the Taylor University Euler Science Complex.

Whereas, The Taylor University Euler Science Complex achieved a Gold Rating from the Leadership in Energy and Environmental Design (LEED) in association with the United States Green Building Council;

Whereas, Built at a cost of \$41.4 million in 2012, the Euler Science Complex, at 180,000 square feet, is the largest single construction project in Taylor University's history;

Whereas, The building contains 11 classrooms, 22 laboratories, five conference rooms, a number of faculty offices, and interaction/gathering spaces on each of its four floors;

Whereas, Additional power that is required to operate the building is supplied by renewable energy sources that include wind, solar, and geothermal technology;

Whereas, Taylor University is one of only four university campuses in North America that directly generates and uses

wind, solar, and geothermal renewable energy sources;

Whereas, Taylor University's goal is to create an outstanding building with features that enhance education in the areas of energy saving technology while reducing its energy footprint; and

Whereas, Through the use of renewable energy sources, Taylor University is committed to a prosperous and sustainable future for our nation: Therefore,

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

SECTION 1. That the Indiana House of Representatives recognizes Taylor University for achieving a Gold Rating from the Leadership in Energy and Environmental Design (LEED) in association with the United States Green Building Council.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Taylor University President Dr. Eugene B. Habecker.

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

House Resolution 42

Representative Turner introduced House Resolution 42:

A HOUSE RESOLUTION recognizing the Taylor University Engineering Program.

Whereas, Taylor University has contributed a small piece of technology to the space program;

Whereas, The fifth edition of the Educational Launch of Nanosatellites (ELaNa) Missions program featured nanosatellites built by four educational institutions, and one of those institutions was Taylor University;

Whereas, Their nanosatellite, called the TSat for Taylor satellite, was designed and built by engineering students as part of a senior capstone class;

Whereas, Taylor University has competed in the ELaNa program in the past year, and project overseer, Dr. Hank Voss, a professor of physics and engineering, values the developmental stage as an educational benefit for the students involved;

Whereas, Their TSat has a threefold objective list: to be educational, scientific, and technological;

Whereas, Once in orbit, the satellite will test a new communications system called Globalstar Connections that will allow communications in the world at anytime; and

Whereas, Taylor University students are reaching for the stars and helping NASA better the world's communications capabilities: Therefore,

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

SECTION 1. That the Indiana House of Representatives recognizes the outstanding work of the Taylor University students who participated in the fifth edition of the Educational Launch of Nanosatellites Missions.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Taylor University President Dr. Eugene B. Habecker.

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

House Resolution 44

Representative Turner introduced House Resolution 44:

A HOUSE RESOLUTION honoring the First Baptist Church, Tipton, Indiana, on the occasion of the 115th anniversary of its establishment.

Whereas, Eleven members met and decided to organize the First Missionary Baptist Church with Reverend John Welsh as the founding pastor 115 years ago;

Whereas, They met above the old Compton's Hardware store;

Whereas, The congregation purchased the land owned by the First Separate Baptist Church, but never met at this location;

Whereas, In 1900, a building was erected for the purpose of worship at the corner of Independence and North streets;

Whereas, Through the years, the congregation and the building continued to grow; and

Whereas, Churches are the cornerstone of Hoosier communities; they are the heart of all those who worship there: Therefore,

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

SECTION 1. That the Indiana House of Representatives congratulates the congregation of the First Baptist Church of Tipton on the occasion of the 115th anniversary of its establishment.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Pastor Mark A. Ward.

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

House Resolution 45

Representative Karickhoff introduced House Resolution 45:

A HOUSE RESOLUTION congratulating Boyd King on the occasion of his 100th birthday.

Whereas, Boyd King was born on March 6, 1914, near Amboy, Indiana;

Whereas, One of six children, Boyd King lived in Miami County his entire life until moving in with his daughter in 2006;

Whereas, Boyd King worked in the automotive parts business most of his life, managing the NAPA store in Peru for 32 years;

Whereas, Boyd married Kathleen Kendall of Converse, a union that lasted 71 years until her death;

Whereas, The couple had three fine children - Tom, Myron, and Cindy;

Whereas, The people of Indiana take pride in the accomplishments, wisdom, and experiences of the senior citizens of their state; and

Whereas, It is a joy to note the 100th birthday of a gentleman who is beginning the second century of his life: Therefore,

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

SECTION 1. That the Indiana House of Representatives congratulates Boyd King on the occasion of his 100th birthday and honors him for his productive life. We wish him happiness and good health in the years to come.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Boyd King and his family.

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

House Resolution 46

Representative Turner introduced House Resolution 46:

A HOUSE RESOLUTION congratulating Taylor University for being named an NAIA Champions of Character Five Star institution.

Whereas, Taylor University has been named an NAIA Champions of Character Five Star Institution for the 2012-2013 academic year;

Whereas, NAIA institutions earn marks on the NAIA's Champions of Character Scorecard used to measure each institution's commitment to the NAIA Champions of Character program;

Whereas, Points are earned in five key areas: character training, conduct in competition, character recognition, academic focus, and character promotion;

Whereas, Taylor University earned high marks on the Champions of Character Scorecard;

Whereas, Although a total of 217 schools were named Five Star Champions of Character institutions for 2012-2013, Taylor University is one of only 23 institutions to be recognized as Champions of Character Institutions (2002-09) and Champions of Character Five Star Institutions (2010-13) every year since the creation of the award; and

Whereas, Outstanding academic institutions deserve special recognition: Therefore,

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

SECTION 1. That the Indiana House of Representatives congratulates Taylor University on its selection as a 2012-2013 NAIA Champions of Character Five Star Institution.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Taylor University President Dr. Eugene B. Habecker.

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

House Concurrent Resolution 27

Representatives Neese, Wesco, Culver, Kubacki and Ober introduced House Concurrent Resolution 27:

A CONCURRENT RESOLUTION memorializing and honoring the lives of Krystle Lauren Dikes and Rachelle Godfread and honoring Corporal Cody Skipper and Corporal Jason Tripp of the Elkhart Police Department.

Whereas, Krystle Lauren Dikes was a beloved daughter, sister, and friend;

Whereas, Krystle was known for her kind and generous spirit and her love of children;

Whereas, Rachelle Godfread was a beloved daughter, sister, and friend;

Whereas, Rachelle was a dedicated and loving mother to sons Michael and Joseph;

Whereas, Krystle and Rachelle passed away on January 15, 2014, in Elkhart, Indiana;

Whereas, Elkhart Police Officer Cody Skipper and Officer Jason Tripp responded to the 911 call;

Whereas, Officer Skipper and Officer Tripp showed great bravery;

Whereas, Officer Skipper and Officer Tripp responded quickly, arriving at the scene in approximately 3 minutes, and

disarming the gunman in approximately 1 minute;

Whereas, This quick and effective response prevented further loss of life;

Whereas, Hoosiers mourn the loss that the Dikes family and the Godfread family have experienced; and

Whereas, Hoosiers are thankful for the service of Officer Skipper and Officer Tripp: 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 wishes to express its sympathy to the families of Lauren Dikes and Rachelle Godfread and thank Corporal Cody Skipper and Corporal Jason Tripp for their bravery.

SECTION 2. That copies of this resolution be transmitted by the Principal Clerk of the House of Representatives to the families of Lauren Dikes and Rachelle Godfread and to Corporal Cody Skipper and Corporal Jason Tripp.

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

The House stood for a moment of silence in memory of the lives lost in this tragedy.

House Concurrent Resolution 34

Representative M. Smith introduced House Concurrent Resolution 34:

A CONCURRENT RESOLUTION honoring the Columbus East High School football team.

Whereas, The Columbus East High School Olympians are the 2013-2014 Class 4A state football champions in their first appearance in a state finals game since their 1979 team went 13-0 and won the Class 3A title;

Whereas, Columbus East defeated Fort Wayne Bishop Dwenger 28-27 in a hard-fought, tension-filled game at Lucas Oil Stadium;

Whereas, In a game full of wild momentum swings, the Olympians led 21-0 in the first half, but saw Bishop Dwenger take the lead with 27 unanswered points in the second half;

Whereas, With their backs against the wall, Columbus East refused to succumb to defeat;

Whereas, Markell Jones led the team on a 14-play, 73-yard touchdown march ending when quarterback Alex Cowan burst in from the 1-yard line to score the tying touchdown;

Whereas, Paul Baker booted the winning extra point with 3:42 remaining in the game;

Whereas, However the excitement wasn't over yet;

Whereas, After receiving the kickoff, Bishop Dwenger pushed to midfield, but on third down they fumbled and Columbus East recovered;

Whereas, A strip-sack by Brock Patterson and the fumble recovery by Tyler Campbell were the big defensive plays for Columbus East;

Whereas, Ranked number one in both the state coaches poll and the Associated Press poll, Columbus East completed the year with a perfect 15-0 record;

Whereas, The Indiana High School Athletic Association Executive Committee named senior offensive lineman Seth

Frownfelter as the winner of the Phil N. Eskew Mental Attitude Award in Class 4A football;

Whereas, Seth, a three-year letter winner and captain of the varsity football team, ranks in the top ten percent of his class, is a member of the National Honor Society and the Spanish Honor Society, and has earned an AP Scholar Award; and

Whereas, Athletic accomplishments such as these deserve special recognition: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Columbus East High School football team on its Class 4A state championship victory and wishes team members continued success in all their future endeavors both on and off the football field.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to all team members, head coach Bob Gaddis, assistant coaches, team managers, principal Mark Newell, and superintendent Dr. John B. Quick.

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

House Concurrent Resolution 45

Representative DeVon introduced House Concurrent Resolution 45:

A CONCURRENT RESOLUTION honoring Trinity School at Greenlawn.

Whereas, On Tuesday, September 24, 2013, Trinity School at Greenlawn was named by United States Secretary of Education Arne Duncan as a 2013 National Blue Ribbon School;

Whereas, The Blue Ribbon School Award gives national recognition to a diverse group of public and private schools that are unusually effective in meeting local, state, and national goals and in educating their students;

Whereas, The program is made up of the Elementary School Recognition Program and the Secondary School Recognition Program, recognizing elementary and secondary schools in alternate years;

Whereas, Founded in 1981 by Michiana parents, Trinity School at Greenlawn is the only school in Indiana, and one of only nine schools in the nation, to win four Blue Ribbon School Awards;

Whereas, Trinity School at Greenlawn was one of only 50 private schools in the country to be selected as winners of the 2013 award;

Whereas, To qualify for this year's award, Trinity School at Greenlawn students were required to score in the top 15 percent nationally on the SAT;

Whereas, The students of Trinity School at Greenlawn are high achievers, with the average SAT score being 250-400 points higher than the national average;

Whereas, Trinity School's curriculum, focused on humanities, sciences, and fine arts, has been adopted by over a dozen private and charter school nationwide;

Whereas, The Blue Ribbon School Award shines the public spotlight on these very special schools, giving them the recognition they so richly deserve; and

Whereas, The people of the state of Indiana applaud Trinity School at Greenlawn in its pursuit of excellence in education and encourage future endeavors: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Trinity School at Greenlawn on being selected as one of Indiana's Blue Ribbon Schools for the fourth time and urges this outstanding school to continue reaching for the stars.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Head of School John Lee and President Dr. Kerry Koller.

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

House Concurrent Resolution 50

Representatives Errington, Summers, Bartlett, Harris, Pryor, V. Smith, C. Brown and Candelaria Reardon introduced House Concurrent Resolution 50:

A CONCURRENT RESOLUTION honoring Judge Robert Wilkins.

Whereas, Judge Robert Wilkins was confirmed to serve on the United States Court of Appeals for the District of Columbia Circuit by the United States Senate on January 13, 2014, and received his commission on January 15, 2014;

Whereas, Born in Muncie in 1963, Judge Robert Wilkins was raised by his mother, Joyce, and attended Muncie Northside High School;

Whereas, After graduation from high school, Judge Wilkins studied chemical engineering at Rose-Hulman Institute of Technology, graduating with a Bachelor of Science degree;

Whereas, Judge Wilkins studied law at Harvard Law School, earning his degree in 1989;

Whereas, Following his graduation from Harvard Law School, Judge Wilkins clerked for the Honorable Earl B. Gilliam of the United States District Court for the Southern District of California and later served as a staff attorney and as head of the Special Litigation Division for the Public Defender Service for the District of Columbia;

Whereas, Judge Wilkins also practiced as a partner with Venable LLP, specializing in white collar defense, intellectual property, and complex civil litigation;

Whereas, Judge Wilkins was a member of the presidential commission advising President George W. Bush on the establishment of the Smithsonian Institution's National Museum of African American History and Culture;

Whereas, Judge Wilkins also served as a judge of the United States District Court for the District of Columbia from 2010 to 2014;

Whereas, In recognition of his outstanding service, Judge Wilkins has received numerous honors and awards, including being named one of the "40 under 40 most successful young litigators in America" by the National Law Journal and one of the "90 Greatest Washington Lawyers of the Last 30 Years" by the Legal Times; and

Whereas, Exemplary service to the United States of America, such as that of Judge Robert Wilkins, merits special recognition: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Judge Robert Wilkins on his confirmation to serve on the United States Court of Appeals for the District of Columbia Circuit and thanks him for his dedication and service to the people of Indiana and the United States.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Judge Robert Wilkins.

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

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 44, 50, 60, 88, 138, 139, 158, 160, 205, 235, 248, 271, 291, 377 and 397.

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

Representative Beumer, who had been excused is now present.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 171

Representative McMillin called down Engrossed Senate Bill 171 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

Roll Call 293: 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.

Representative Mahan, who had been excused is now present.

Engrossed Senate Bill 227

Representative McMillin called down Engrossed Senate Bill 227 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 294: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Neese is now excused.

Engrossed Senate Bill 340

Representative Koch called down Engrossed Senate Bill 340 for third reading:

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

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

Roll Call 295: yeas 69, nays 26. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

RESOLUTIONS ON SECOND READING

House Resolution 21

The Speaker handed down on its passage House Resolution 21, introduced by Representatives Koch, VanNatter, Battles, Frizzell and Morrison:

A HOUSE RESOLUTION urging national policy makers to adopt an energy approach that increases United States energy security, achieves North American energy independence, ensures the availability of needed pipelines and infrastructure, stimulates the United States economy, and creates American jobs.

The resolution was read a second time and adopted. Roll Call 296: yeas 79, nays 14.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 3:05 p.m.

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative Lehman.

Representatives Harris, Forestal, Huston, Kirchhofer and Summers are now excused. Representatives Leonard, Neese and Niezgodski, who had been excused, are now present.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 80

Representative Bosma called down Engrossed Senate Bill 80 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 80-1)

Mr. Speaker: I move that Engrossed Senate Bill 80 be amended to read as follows:

Page 7, line 9, delete "assembly" and insert "**assembly**".

Page 7, delete line 10.

Page 7, line 14, delete "assembly or an employee" and insert "**assembly**".

Page 7, delete line 15.

Page 7, line 19, delete "assembly or an employee of the state" and insert "**assembly**".

Page 7, delete line 20.

Page 7, line 24, after "general" insert "**assembly**".

Page 7, delete line 25.

(Reference is to ESB 80 as printed February 24, 2014.)

BOSMA

Motion prevailed. The bill was ordered engrossed.

The Deputy Speaker Pro Tempore yielded the gavel to the Speaker.

Engrossed Senate Bill 91

Representative Thompson called down Engrossed Senate Bill

91 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 91-2)

Mr. Speaker: I move that Engrossed Senate Bill 91 be amended to read as follows:

Page 4, line 14, after "administer" insert "as a pilot program".

Page 4, line 17, after "(b)," insert "The department shall take necessary action to fully implement and provide for an orderly transition to the educational standards established by the state board under subsection (b) as quickly as possible.".

(Reference is to ESB 91 as printed February 24, 2014.)

BATTLES

Upon request of Representatives Pelath and Lawson, the Speaker ordered the roll of the House to be called. Roll Call 297: yeas 28, nays 60. Motion failed.

Representative Behning is excused.

HOUSE MOTION
(Amendment 91-3)

Mr. Speaker: I move that Engrossed Senate Bill 91 be amended to read as follows:

Page 1, delete lines 4 through 8, begin a new line block indented and insert:

"(1) "college and career readiness" refers to the standards that a high school graduate must meet to obtain the knowledge, skills, and abilities necessary to succeed in postsecondary education or with economically viable career opportunities; and"

(Reference is to ESB 91 as printed February 24, 2014.)

BATTLES

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 298: yeas 27, nays 63. Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 118

Representative T. Brown called down Engrossed Senate Bill 118 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Representative Forestal, who was excused is now present.

Engrossed Senate Bill 143

Representative Thompson called down Engrossed Senate Bill 143 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 143-1)

Mr. Speaker: I move that Engrossed Senate Bill 143 be amended to read as follows:

Page 2, line 32, after "notice of the" insert "purpose of the hearing and the".

Page 4, between lines 23 and 24, begin a new paragraph and insert:

"(e) If at least one (1) taxpayer appearing at the public hearing under subsection (d) objects to the proposed resolution and files a written objection with the governing body of the school corporation and the county auditor not more than ten (10) days after the public hearing, a petition requesting the application of a petition and remonstrance process may be filed not more than thirty (30) days after the public hearing by one hundred (100) persons who are either owners of property within the school corporation or registered voters residing within the school corporation. Except as provided in this subsection, the provision of IC 6-1.1-20-3.1(b) governing the initiation of a petition and remonstrance process for a controlled project (including the

provisions governing verification of petitions) applies to a petition under this subsection requesting the application of a petition and remonstrance process. The following apply if a sufficient petition requesting the application of a petition and remonstrance process has been filed as set forth in this subsection:

(1) The petition and remonstrance process prescribed by IC 6-1.1-20-3.2(b) for controlled projects shall be used to determine whether the governing body of the school corporation may adopt a resolution under subsection (g) and issue refunding bonds as provided in subsection (g).

(2) The governing body of the school corporation may not adopt a resolution under subsection (g) and may not issue refunding bonds as provided in subsection (g) unless more individuals sign the petition for the bond refunding under this subsection than the number of individuals signing a remonstrance against the bond refunding under this subsection.

Except as provided in this subsection, the provision of IC 6-1.1-20-3.2(b) governing the petition and remonstrance process for a controlled project applies to a petition and remonstrance process under this subsection."

Page 4, line 24, reset in roman "(f) Except as provided in subsection".

Page 4, line 24, after "(e)" insert ",".

Page 4, line 26, reset in roman "(g)".

Page 4, line 26, delete "(f)".

Page 5, line 21, reset in roman "(h)".

Page 5, line 21, delete "(g)".

Page 5, line 29, reset in roman "(i)".

Page 5, line 29, delete "(h)".

(Reference is to ESB 143 as printed February 24, 2014.)

THOMPSON

Motion withdrawn. The bill was ordered engrossed.

Representative Bacon is now excused.

Engrossed Senate Bill 161

Representative Turner called down Engrossed Senate Bill 161 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 161-1)

Mr. Speaker: I move that Engrossed Senate Bill 161 be amended to read as follows:

Page 2, after line 25, begin a new paragraph and insert:

"SECTION 3. IC 6-3-2-24 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)]: Sec. 24. (a) This section applies to a taxable year beginning after December 31, 2013.

(b) As used in this section, "international committee" refers to the International Olympic Committee and the International Paralympic Committee.

(c) As used in this section, "Olympic games" refers to an international sports competition conducted every two (2) years by an international committee, including both the summer and winter games.

(d) As used in this section, "Olympic medal" refers to a gold, silver, or bronze medal won by an individual competing at the Olympic games.

(e) An individual is entitled to an exemption from the adjusted gross income tax imposed under this article equal to the sum of:

(1) the value of an Olympic medal won during the taxable year; plus

(2) the amount of income received during the taxable year from the United States Olympic Committee as prize money for winning the Olympic medal.

SECTION 4. An emergency is declared for this act."

Renumber all SECTIONS consecutively.
(Reference is to ESB 161 as printed February 24, 2014.)
AUSTIN

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 299: yeas 69, nays 20. Motion prevailed. The bill was ordered engrossed.

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

Engrossed Senate Bill 169

Representative McMillin called down Engrossed Senate Bill 169 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 169-2)

Mr. Speaker: I move that Engrossed Senate Bill 169 be amended to read as follows:

Page 3, between lines 20 and 21, begin a new paragraph and insert:

"(d) It is a defense to a prosecution under subsection (b)(1) that:

- (1) the accused person contacted NICS (as defined in IC 35-47-2.5-2.5) to request a background check on the other person before the accused person sold, gave, or in any other manner transferred the ownership or possession of the handgun to the other person; and
- (2) the accused person received authorization from NICS to sell, give, or in any other manner transfer ownership or possession of the handgun to the other person."

Page 5, between lines 12 and 13, begin a new paragraph and insert:

"(c) It is a defense to a prosecution under subsection (b)(1) that:

- (1) the accused person contacted NICS to request a background check on the individual before the accused person provided the firearm to the individual; and
- (2) the accused person received authorization from NICS to provide the firearm to the individual."

(Reference is to ESB 169 as printed February 24, 2014.)
DELANEY

Upon request of Representatives Mahan and VanNatter, the Speaker ordered the roll of the House to be called. Roll Call 300: yeas 89, nays 0. Motion prevailed.

HOUSE MOTION
(Amendment 169-1)

Mr. Speaker: I move that Engrossed Senate Bill 169 be amended to read as follows:

Page 7, after line 23, begin a new paragraph and insert:

"SECTION 11. [EFFECTIVE JULY 1, 2014] (a) The general assembly urges the legislative council to assign to the appropriate study committee the task of studying methods to:

- (1) reduce firearms violence in Indiana, including requiring background checks to be conducted by all gun show vendors at gun shows in Indiana; and
- (2) increase the number of law enforcement officers employed by local units of government in Indiana.

(b) If an appropriate study committee is assigned the topics described in subsection (a), the committee shall issue to the legislative council a final report containing the committee's findings and recommendations, including any recommended legislation concerning the topics, in an electronic format under IC 5-14-6, not later than November 1, 2014.

(c) This SECTION expires January 1, 2015."

Renumber all SECTIONS consecutively.
(Reference is to ESB 169 as printed February 24, 2014.)
DELANEY

Upon request of Representatives Mahan and VanNatter, the Speaker ordered the roll of the House to be called. Roll Call 301: yeas 75, nays 14. Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 220

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

HOUSE MOTION
(Amendment 220-2)

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

Page 3, delete lines 5 through 10.

Page 3, line 11, delete "(b)" and insert "**Sec. 11. (a)**".

Page 3, line 15, delete "(c)" and insert "**(b)**".

Page 3, line 15, delete "(b)" and insert "**(a)**".

Page 3, line 21, delete "(b)." and insert "**(a).**".

Page 3, line 22, delete "(d)" and insert "**(c)**".

(Reference is to ESB 220 as printed February 21, 2014.)

LEHMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 308

Representative Ober called down Engrossed Senate Bill 308 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 308-8)

Mr. Speaker: I move that Engrossed Bill 308 be amended to read as follows:

Page 7, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 7. IC 36-7-31-22.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 22.1. The capital improvement board is subject to the provisions of 25 IAC 5 concerning equal opportunities for minority business enterprises and women's business enterprises. In addition, the capital improvement board shall set a goal for participation by:**

- (1) minority business enterprises of fifteen percent (15%);
- (2) women's business enterprises of eight percent (8%); and
- (3) disabled veterans' business enterprises of three percent (3%);

consistent with the goals of delivering a facility or complex of facilities on time and within the budgeted amount and, insofar as possible, using Indiana businesses for employees, goods, and services. In fulfilling the goal, the capital improvement board shall take into account historical precedents in the same market.

SECTION 8. IC 36-7-31-22.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 22.3. The capital improvement board may not issue bonds to finance a facility or complex of facilities that includes a soccer stadium unless the capital improvement board first finds that each contract or subcontract for the construction of the facility and all buildings, facilities, structures, and improvements related to that facility to be financed in whole or in part through the issuance of the bonds:**

- (1) requires payment of the common construction wage required by IC 5-16-7; and

(2) requires the contractor or subcontractor to enter into a project labor agreement as a condition of being awarded and performing work on the contract."

Renumber all SECTIONS consecutively.

(Reference is to ESB 308 as printed February 24, 2014.)

PORTER

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 302: yeas 35, nays 58. Motion failed.

HOUSE MOTION
(Amendment 308-6)

Mr. Speaker: I move that Engrossed Senate Bill 308 be amended to read as follows:

Page 7, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 7. IC 36-7-31-22.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 22.1. The capital improvement board is subject to the provisions of 25 IAC 5 concerning equal opportunities for minority business enterprises and women's business enterprises. In addition, the capital improvement board shall set a goal for participation by:**

- (1) minority business enterprises of fifteen percent (15%);**
- (2) women's business enterprises of eight percent (8%); and**
- (3) disabled veterans' business enterprises of three percent (3%);**

consistent with the goals of delivering a facility or complex of facilities on time and within the budgeted amount and, insofar as possible, using Indiana businesses for employees, goods, and services. In fulfilling the goal, the capital improvement board shall take into account historical precedents in the same market."

Renumber all SECTIONS consecutively.

(Reference is to ESB 308 as printed February 24, 2014.)

PORTER

Upon request of Representatives Mahan and Friend, the Speaker ordered the roll of the House to be called. Roll Call 303: yeas 92, nays 0. Motion prevailed.

HOUSE MOTION
(Amendment 308-5)

Mr. Speaker: I move that Engrossed Senate Bill 308 be amended to read as follows:

Page 5, between lines 22 and 23, begin a new line block indented and insert:

"(4) With respect to a tax area change described in subsection (a)(3), the commission and the owner of a professional soccer franchise that would be the primary tenant of the facility or facilities described in subsection (a)(3) must demonstrate that:

- (A) the professional soccer franchise;**
- (B) the professional soccer league in which the professional soccer franchise competes; or**
- (C) a combination of the franchise and the league; have guaranteed at least fifty percent (50%) of the amount of a facility or complex of facilities that includes a soccer stadium that is financed as described in IC 6-9-13-1(a)(1)."**

(Reference is to ESB 308 as printed February 24, 2014.)

DELANEY

Upon request of Representatives Mahan and VanNatter, the Speaker ordered the roll of the House to be called. Roll Call 304: yeas 91, nays 0. Motion prevailed.

HOUSE MOTION
(Amendment 308-1)

Mr. Speaker: I move that Engrossed Senate Bill 308 be amended to read as follows:

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

"SECTION 1. IC 5-28-36-3, AS ADDED BY P.L.233-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 3. (a) The motorsports improvement fund is established within the state treasury. The fund is a revolving fund to provide low-interest loans and grants for enhancing the development of the motorsports industry in Indiana.**

(b) The fund consists of amounts appropriated by the general assembly.

(c) The corporation shall administer the fund. In addition to loans and grants, the following may be paid from money in the fund:

- (1) Expenses of administering the fund.**
- (2) Nonrecurring administrative expenses incurred to carry out the purposes of this chapter.**

(d) Earnings from loans made under this chapter shall be deposited in the fund.

(e) The money in the fund at the end of a state fiscal year does not revert to the state general fund but remains in the fund.

SECTION 2. IC 5-28-36-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 5.5. (a) A county, city, or town in which a motorsports enterprise is located may apply to the corporation for a grant from the fund to be used for making infrastructure improvements that will enhance the viability of the motorsports enterprise.**

(b) A grant to an applicant under this section may not exceed two hundred thousand dollars (\$200,000). Money is appropriated from the fund to make the grants awarded under this section.

(c) The corporation shall determine the following:

- (1) The application process to be used to apply for a grant from the fund.**
- (2) The criteria to be used to make grants from the fund.**
- (3) The terms and conditions of any grant made from the fund, including the actual grant amount."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 308 as printed February 24, 2014.)

SAUNDERS

Motion failed.

HOUSE MOTION
(Amendment 308-7)

Mr. Speaker: I move that Engrossed Senate Bill 308 be amended to read as follows:

Page 7, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 7. IC 36-7-31-22.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 22.3. The capital improvement board may not issue bonds to finance a facility or complex of facilities that includes a soccer stadium unless the capital improvement board first finds that each contract or subcontract for the construction of the facility and all buildings, facilities, structures, and improvements related to that facility to be financed in whole or in part through the issuance of the bonds:**

- (1) requires payment of the common construction wage required by IC 5-16-7; and**
- (2) requires the contractor or subcontractor to enter into a project labor agreement as a condition of being awarded and performing work on the contract."**

Renumber all SECTIONS consecutively.
(Reference is to ESB 308 as printed February 24, 2014.)
PORTER

Upon request of Representatives Pelath and Lawson, the Speaker ordered the roll of the House to be called. Roll Call 305: yeas 32, nays 55. Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 330

Representative Heuer called down Engrossed Senate Bill 330 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 330-1)

Mr. Speaker: I move that Engrossed Senate Bill 330 be amended to read as follows:

Page 2, delete lines 3 through 42, begin a new paragraph and insert:

"SECTION 2. IC 20-30-10-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 5. Notwithstanding any other law, a high school may replace high school courses on the high school transcript with dual credit courses (as defined in IC 21-43-1-2.5) or advanced placement courses on the same subject matter with equal or greater rigor to the required high school course and may count such a course as satisfying academic honors or another special diploma requirement. A dual credit course must be authorized by an eligible institution (as described in IC 21-43-4-3.5) that is a member of a national dual credit accreditation organization, or the eligible institution must make assurances that the final assessment for the course given for dual credit under this section is substantially equivalent to the final assessment given in the college course in that subject.**"

Page 3, delete lines 1 through 25.
(Reference is to ESB 330 as printed February 24, 2014.)
THOMPSON

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 332

Representative Messmer called down Engrossed Senate Bill 332 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 332-1)

Mr. Speaker: I move that Engrossed Senate Bill 332 be amended to read as follows:

Page 4, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 4. IC 5-13-10.5-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 13. The treasurer of state may lend any securities acquired under section 7 or 11 of this chapter. However, securities may be lent under this section only if the agreement under which the securities are lent is collateralized by:**

- (1) cash; or
- (2) **interest bearing obligations that are issued by, fully insured by, or guaranteed by the United States; an agency of the United States government; a federal instrumentality; or a federal government sponsored enterprise; non-cash collateral if the state is indemnified by the custodian holding the non-cash collateral;**

in excess of the total market value of the loaned securities."

Renumber all SECTIONS consecutively.
(Reference is to ESB 332 as printed February 24, 2014.)
MESSMER

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 349

Representative Huston called down Engrossed Senate Bill 349 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 349-1)

Mr. Speaker: I move that Engrossed Senate Bill 349 be amended to read as follows:

Page 1, line 1, delete "IC 24-4.7-1-7.6" and insert "IC 24-4.7-2-1.7".

Page 1, line 3, delete "7.6" and insert "1.7".

Page 1, line 5, delete "IC 24-4.7-1-7.7" and insert "IC 24-4.7-2-7.7".

Page 2, line 11, after "(a)" insert "**This section does not apply to the sale, transfer, or provision of a consumer's telephone number to a person that is exempt from this article under IC 24-4.7-1-1.**

(b)".

Page 2, line 16, delete "(b)" and insert "(c)".

Page 2, line 19, delete "(c)" and insert "(d)".

(Reference is to ESB 349 as printed February 24, 2014.)

HUSTON

Motion prevailed. The bill was ordered engrossed.

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

Engrossed Senate Bill 408

Representative Kubacki called down Engrossed Senate Bill 408 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 408-1)

Mr. Speaker: I move that Engrossed Senate Bill 408 be amended to read as follows:

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

"SECTION 1. IC 2-5-36-9, AS ADDED BY P.L.119-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2014]: **Sec. 9. The commission shall do the following:**

- (1) Study and evaluate the following:
 - (A) Access to services for vulnerable youth.
 - (B) Availability of services for vulnerable youth.
 - (C) Duplication of services for vulnerable youth.
 - (D) Funding of services available for vulnerable youth.
 - (E) Barriers to service for vulnerable youth.
 - (F) Communication and cooperation by agencies concerning vulnerable youth.
 - (G) Implementation of programs or laws concerning vulnerable youth.
 - (H) The consolidation of existing entities that serve vulnerable youth.
 - (I) Data from state agencies relevant to evaluating progress, targeting efforts, and demonstrating outcomes.
- (2) Review and make recommendations concerning pending legislation.
- (3) Promote information sharing concerning vulnerable youth across the state.
- (4) Promote best practices, policies, and programs.
- (5) Cooperate with:
 - (A) other child focused commissions;
 - (B) the judicial branch of government;
 - (C) the executive branch of government;
 - (D) stakeholders; and
 - (E) members of the community.
- (6) Submit a report not later than July 1 of each year

regarding the commission's work during the previous year. The report shall be submitted to the legislative council, the governor, and the chief justice of Indiana. The report to the legislative council must be in an electronic format under IC 5-14-6.

(7) Assist the state department of health in the development and administration of a grant program for funding community based efforts to reduce infant mortality in Indiana.

SECTION 2. IC 12-15-44.2-17, AS ADDED BY P.L.3-2008, SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2014]: Sec. 17. (a) The Indiana check-up plan trust fund is established for the following purposes:

- (1) Administering a plan created by the general assembly to provide health insurance coverage for low income residents of Indiana under this chapter.
- (2) Providing copayments, preventative care services, and premiums for individuals enrolled in the plan.
- (3) Funding tobacco use prevention and cessation programs, childhood immunization programs, and other health care initiatives designed to promote the general health and well being of Indiana residents.

The fund is separate from the state general fund.

(b) The fund shall be administered by the office of the secretary of family and social services.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The fund shall consist of the following:

- (1) Cigarette tax revenues designated by the general assembly to be part of the fund.
- (2) Other funds designated by the general assembly to be part of the fund.
- (3) Federal funds available for the purposes of the fund.
- (4) Gifts or donations to the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(f) Money must be appropriated before funds are available for use.

(g) Money in the fund does not revert to the state general fund at the end of any fiscal year.

(h) The fund is considered a trust fund for purposes of IC 4-9.1-1-7. **Except as provided in subsection (i),** money may not be transferred, assigned, or otherwise removed from the fund by the state board of finance, the budget agency, or any other state agency.

(i) Beginning with investment proceeds accrued after March 31, 2014, all investment proceeds accrued on the money in the fund shall, not later than April 1 of each year, be transferred to the infant mortality reduction grant fund established by IC 16-35-9-3."

Page 2, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 5. IC 16-35-9 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2014]:

Chapter 9. Infant Mortality Reduction Grant Fund

Sec. 1. As used in this chapter, "commission" refers to the commission on improving the status of children in Indiana established by IC 2-5-36-3.

Sec. 2. As used in this chapter, "fund" refers to the infant mortality reduction grant fund established by section 3 of this chapter.

Sec. 3. (a) The infant mortality reduction grant fund is established for the purpose of funding community based efforts to reduce infant mortality in Indiana through a grant program developed and administered by the state department and the commission.

(b) The fund shall be administered by the state

department and must be used for the purposes of this chapter.

Sec. 4. The fund consists of the following:

(1) Money transferred from the Indiana check-up plan trust fund, or any successor trust fund, under IC 12-15-44.2-17.

(2) Appropriations from the general assembly.

(3) Funds obtained from other sources.

Sec. 5. The expenses of administering the fund shall be paid from money in the fund.

Sec. 6. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

Sec. 7. Money in the fund at the end of a state fiscal year does not revert to the state general fund and may not be transferred, assigned, or otherwise removed from the fund by the state board of finance, the budget agency, or any other state agency.

SECTION 6. IC 16-41-17-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2014]: Sec. 11. (a) The newborn screening fund is established for the purpose of carrying out this chapter. The state department shall administer the fund.

(b) The expenses of the newborn screening program shall be paid from money in the fund.

(c) Money in the fund at the end of a state fiscal year does not revert to the state general fund **and may not be transferred, assigned, or otherwise removed from the fund by the state board of finance, the budget agency, or any other state agency."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 408 as printed February 24, 2014.)

RIECKEN

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 306: yeas 80, nays 14. Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 233

Representative Davisson called down Engrossed Senate Bill 233 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 233-1)

Mr. Speaker: I move that Engrossed Senate Bill 233 be amended to read as follows:

Page 15, after line 42, begin a new paragraph and insert:

"SECTION 22. IC 25-23-1-1, AS AMENDED BY P.L.232-2013, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. As used in this chapter:

(a) "Board" means the Indiana state board of nursing.

(b) "Advanced practice nurse" means:

(1) a nurse practitioner;

(2) a certified nurse midwife; **or**

(3) a clinical nurse specialist; **or**

(4) **a certified registered nurse anesthetist;**

who is a registered nurse qualified to practice nursing in a specialty role based upon the additional knowledge and skill gained through a formal organized program of study and clinical experience, or the equivalent as determined by the board, which does not limit but extends or expands the function of the nurse which may be initiated by the client or provider in settings that shall include hospital outpatient clinics and health maintenance organizations. **Notwithstanding any other law, this subsection does not add to the powers and duties of certified registered nurse anesthetists as described in section 30 of this chapter.**

(c) "Human response" means those signs, symptoms, behaviors, and processes that denote the individual's interaction with the environment.

SECTION 23. IC 25-23-1-19.4, AS AMENDED BY P.L.105-2008, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 19.4. **(a) This section does not apply to certified registered nurse anesthetists.**

~~(a)~~ **(b)** As used in this section, "practitioner" has the meaning set forth in IC 16-42-19-5. However, the term does not include the following:

- (1) A veterinarian.
- (2) An advanced practice nurse.
- (3) A physician assistant.

~~(b)~~ **(c)** An advanced practice nurse shall operate in collaboration with a licensed practitioner as evidenced by a practice agreement, or by privileges granted by the governing board of a hospital licensed under IC 16-21 with the advice of the medical staff of the hospital that sets forth the manner in which an advanced practice nurse and a licensed practitioner will cooperate, coordinate, and consult with each other in the provision of health care to their patients.

SECTION 24. IC 25-23-1-19.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 19.5. **(a) This section does not apply to certified registered nurse anesthetists.**

~~(a)~~ **(b)** The board shall establish a program under which advanced practice nurses who meet the requirements established by the board are authorized to prescribe legend drugs, including controlled substances (as defined in ~~IC 35-48-1~~; **IC 35-48-1-9**).

~~(b)~~ **(c)** The authority granted by the board under this section:

- (1) expires on October 31 of the odd-numbered year following the year the authority was granted or renewed; and
- (2) is subject to renewal indefinitely for successive periods of two (2) years.

~~(c)~~ **(d)** The rules adopted under section 7 of this chapter concerning the authority of advanced practice nurses to prescribe legend drugs must do the following:

- (1) Require an advanced practice nurse or a prospective advanced practice nurse who seeks the authority to submit an application to the board.
- (2) Require, as a prerequisite to the initial granting of the authority, the successful completion by the applicant of a graduate level course in pharmacology providing at least two (2) semester hours of academic credit.
- (3) Require, as a condition of the renewal of the authority, the completion by the advanced practice nurse of the continuing education requirements set out in section 19.7 of this chapter."

Renumber all SECTIONS consecutively.
(Reference is to ESB 233 as printed February 24, 2014.)
BACON

Motion prevailed.

HOUSE MOTION
(Amendment 233-2)

Mr. Speaker: I move that Engrossed Senate Bill 233 be amended to read as follows:

Page 9, delete lines 20 through 42.

Page 10, delete line 1.

Page 13, line 2, delete "Indiana diabetes educators board" and insert "**medical licensing board of Indiana**".

Page 13, line 3, delete "IC 25-14.3-2-1." and insert "**IC 25-22.5-2-1.**".

Page 13, line 10, delete "Indiana Diabetes Educators" and insert "**Duties of the**".

Page 13, delete lines 11 through 42.

Page 14, delete lines 1 through 11.

Page 14, line 12, delete "8." and insert "**1.**".

Renumber all SECTIONS consecutively.
(Reference is to ESB 233 as printed February 24, 2014.)
SHACKLEFORD

Motion prevailed. The bill was ordered engrossed.

Representative Kirchhofer, who had been excused is now present.

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative Lehman.

Engrossed Senate Bill 321

Representative Behning called down Engrossed Senate Bill 321 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 321-1)

Mr. Speaker: I move that Engrossed Senate Bill 321 be amended to read as follows:

Page 3, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 5. IC 20-51-4-10, AS AMENDED BY P.L.211-2013, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10. **(a)** The department shall distribute choice scholarships at least once each semester, or at equivalent intervals. The department may distribute the choice scholarship to the eligible choice scholarship student (or the parent of the eligible choice scholarship student) for the purpose of paying the educational costs described in section 4(1)(A) of this chapter. **An eligible school may use funds received by the eligible school under this chapter only for educational purposes directly related to the administration or operation of the eligible school.**

(b) For the distribution to be valid, the distribution must be endorsed by both the eligible choice scholarship student (or the parent of the eligible choice scholarship student) and the eligible school providing educational services to the eligible choice scholarship student."

Renumber all SECTIONS consecutively.
(Reference is to ESB 321 as printed February 24, 2014.)
PORTER

Upon request of Representatives Pelath and Dvorak, the Speaker ordered the roll of the House to be called. Roll Call 307: yeas 31, nays 61. Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 344

Representative Behning called down Engrossed Senate Bill 344 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 344-1)

Mr. Speaker: I move that Engrossed Senate Bill 344 be amended to read as follows:

Page 2, line 29, after "under" insert "**IC 5-14-3-4(b)(1), IC 5-14-3-4(b)(18), and**".

(Reference is to ESB 344 as printed February 24, 2014.)
BATTLES

Upon request of Representatives Mahan and Davisson, the Speaker ordered the roll of the House to be called. Roll Call 308: yeas 91, nays 0. Motion prevailed. The bill was ordered engrossed.

Senate Joint Resolution 9

Representative Messmer called down engrossed Senate Joint Resolution 9 for second reading. The joint resolution was read a second time by title. There being no amendments, the joint resolution was ordered engrossed.

**ENGROSSED SENATE BILLS
ON THIRD READING**

Engrossed Senate Bill 375

Representative Heuer called down Engrossed Senate Bill 375 for third reading:

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

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

Roll Call 309: yeas 89, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed Senate Enrolled Acts 19, 24, 31, 58, 209 and 393 on February 25.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that SB 143 be returned to the second reading calendar forthwith for the purpose of amendment.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cox be added as cosponsor of Engrossed Senate Bill 111.

LEHE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Stemler and Porter be added as cosponsors of Engrossed Senate Bill 139.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as cosponsor of Engrossed Senate Bill 180.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lawson be added as cosponsor of Engrossed Senate Bill 227.

MCMILLIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Morris be added as cosponsor of Engrossed Senate Bill 340.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Hamm, Beumer, GiaQuinta, Macer, Lawson, Klinker and Porter be added as coauthor of House Resolution 16.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bauer, Niezgodski and Wesco be added as coauthor of House Concurrent Resolution 45.

DEVON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Morris be added as cosponsor of Senate Joint Resolution 9.

MESSMER

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1052, 1059, 1076, 1215 and 1253 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 Engrossed House Bills 1027, 1028, 1140, 1171, 1245 and 1361 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ
Principal Secretary of the Senate

On the motion of Representative Ober, the House adjourned at 5:30 p.m., this twenty-sixth day of February, 2014, until Thursday, February 27, 2014, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives