



Journal of the Senate

State of Indiana

120th General Assembly

First Regular Session

Sixteenth Meeting Day

Tuesday Afternoon

February 7, 2017

The Senate convened at 1:40 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Senator Travis L. Holdman.

The Pledge of Allegiance to the Flag was led by Senator Holdman.

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

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

Roll Call 73: present 50; excused 0. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

HB 1507 — Charbonneau, Tallian (Family and Children Services)

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

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 16

House Concurrent Resolution 16, sponsored by Senator M. Young:

A CONCURRENT RESOLUTION supporting Taiwan's signing of the Free Trade Agreement (FTA) and Bilateral Investment Agreement (BIA) with the United States and reaffirming support for increasing Taiwan's international profile and for strengthening sister-state ties between Indiana and Taiwan.

Whereas, The state of Indiana is proud of the sister-state relationship it has enjoyed with the Republic of China (Taiwan) since 1979 marked by strong bilateral trade, educational and cultural exchanges, and tourism;

Whereas, Taiwan shares the same values of freedom, democracy, human rights, the rule of law, peace, and prosperity with the United States and the state of Indiana;

Whereas, The United States ranks as Taiwan's second largest trading partner; Taiwan is the ninth largest trading partner of the United States, and bilateral trade reached \$66.6 billion in 2015;

Whereas, Taiwan and the state of Indiana have enjoyed a long and mutually beneficial relationship with the prospect of future growth, and Taiwan was Indiana's fifth largest export market in Asia in 2015, with \$172.7 million worth of Indiana goods exported to Taiwan;

Whereas, Negotiating a Bilateral Investment Agreement (BIA) between Taiwan and the United States is an important step toward further strengthening bilateral trade and paving the way for entering into a Free Trade Agreement between our countries, thereby increasing Indiana's exports to Taiwan and creating bilateral investment and technical collaboration through tariff reduction and other trade facilitation measures; and

Whereas, Taiwan has undertaken a policy of "steadfast diplomacy" in its international relations. Taiwan is capable of and willing to fulfill its responsibilities and to collaborate with the world to deal with the challenges of humanitarian aid, disease control, and so forth: 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 General Assembly reaffirms its commitment to the strengthening and deepening of the sister-state relationship between Taiwan and the state of Indiana.

SECTION 2. That Indiana endorses Taiwan's efforts to secure the signing of the Bilateral Investment Agreement (BIA) and Free Trade Agreement (FTA) with the United States

SECTION 3. That Indiana continues to support Taiwan's meaningful participation in international organizations that impact the health, safety, and well-being of its people, and supports its aspiration to make more contributions in international societies.

SECTION 4. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the members of the Indiana Congressional delegation and the Taipei Economic and Cultural Office in Chicago, Illinois.

The resolution was read in full and referred to the Committee on Public Policy.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 64, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 315, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 366, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs

and The Military, to which was referred Senate Bill 382, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 2 through 5 with "[EFFECTIVE JANUARY 1, 2018]".

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 23.

Page 3, between lines 40 and 41, begin a new paragraph and insert:

"(c) The bureau shall share the information submitted under subsection (a)(2) at least annually with the Indiana department of veterans affairs."

Page 6, between lines 32 and 33, begin a new paragraph and insert:

"(g) The bureau shall share the information submitted under subsection (f) at least annually with the Indiana department of veterans' affairs."

Page 8, delete lines 32 through 42.

Delete pages 9 through 10.

Renumber all SECTIONS consecutively.

(Reference is to SB 382 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

DELPH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Senate Bill 421, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

ECKERTY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 440, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 4.

Page 8, delete line 42.

Page 9, delete lines 1 through 27.

Page 10, delete lines 39 through 42, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "department" means the department of state revenue.

(b) The department shall do the following:

(1) Study the department's retention of records, documents, or correspondence received, issued, prepared, or made by the department with respect to an investigation, audit, or claim for refund, as well as any protest or judicial appeal resulting from such investigation, audit, or claim for refund.

(2) Submit a report before October 1, 2017, to the legislative council (in an electronic format under IC 5-14-6) and to the interim study committee on fiscal policy established by IC 2-5-1.3-4 containing the results of the department's study under this SECTION. The report must include at least the following:

(A) A review of the department's practices concerning its retention of records, documents, or correspondence received, issued, prepared, or made by the department with respect to an investigation, audit, or claim for refund and with respect to any protest or judicial appeal resulting from such investigation, audit, or claim for refund.

(B) A plan for the department's retention of records, documents, or correspondence received, issued, prepared, or made by the department with respect to an investigation, audit, or claim for refund and with respect to any protest or judicial appeal resulting from such investigation, audit, or claim for refund. The plan must specify the records, documents, or correspondence to be retained, how they will be retained, the period of retention (which must be for a period ending not earlier than a reasonable number of days after the relevant statutory period for protest or appeal), and how the plan will be implemented by the department.

(C) An estimate of the administrative costs of implementing the plan.

(D) An estimate of the timing for the scheduled implementation of the plan.

(c) The interim study committee on fiscal policy shall hold at least one (1) public hearing at which the department presents the results of the report under this SECTION.

(d) This SECTION expires December 31, 2017.

SECTION 5. **An emergency is declared for this act."**

Delete pages 11 through 12.

Re-number all SECTIONS consecutively.

(Reference is to SB 440 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 455, has had the same under consideration and begs leave to report the same back to the

Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 6-1.1-1-8.4, AS AMENDED BY P.L.182-2009(ss), SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 8.4. (a) "Inventory" means:

- (1) materials held for processing or for use in production;
- (2) finished or partially finished goods of a manufacturer or processor; and
- (3) property held for sale in the ordinary course of trade or business.

(b) The term includes:

- (1) items that qualify as inventory under 50 IAC 4.2-5-1 (as effective December 31, 2008); and
- (2) subject to subsection (c), a mobile home or manufactured home that:
 - (A) does not qualify as real property;
 - (B) is located in a mobile home community;
 - (C) is unoccupied; and
 - (D) is owned and held for sale **or lease** by the owner of the mobile home community.

(c) Subsection (b)(2) applies regardless of whether the mobile home that is held for sale **or lease** is new or was previously owned."

Page 2, delete lines 1 through 3.

Page 2, line 15, after "document" delete "," and insert "**or bureau of motor vehicles affidavit of sale or disposal,**".

Page 2, delete lines 33 through 42, begin a new paragraph and insert:

"SECTION 3. IC 6-1.1-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 4. (a) The owner of any real property on the assessment date of a year is liable for the taxes imposed for that year on the property, unless a person holding, possessing, controlling, or occupying any real property on the assessment date of a year is liable for the taxes imposed for that year on the property under a memorandum of lease or other contract with the owner that is recorded with the county recorder before January 1, 1998.

(b) **Except for a mobile home assessed as personal property**, a person holding, possessing, controlling, or occupying any personal property on the assessment date of a year is liable for the taxes imposed for that year on the property unless:

- (1) the person establishes that the property is being assessed and taxed in the name of the owner; or
- (2) the owner is liable for the taxes under a contract with that person.

A person owning a mobile home assessed as personal property on the assessment date of a year is liable for the taxes imposed for that year on the property. When a person other than the owner pays any property taxes, as required by this section, that person may recover the amount paid from the owner,

unless the parties have agreed to other terms in a contract.

(b) An owner on the assessment date of a year of real property that has an improvement or appurtenance that is:

- (1) assessed as real property; and
- (2) owned, held, possessed, controlled, or occupied on the assessment date of a year by a person other than the owner of the land;

is jointly liable for the taxes imposed for the year on the improvement or appurtenance with the person holding, possessing, controlling, or occupying the improvement or appurtenance on the assessment date.

(c) An improvement or appurtenance to land that, on the assessment date of a year, is held, possessed, controlled, or occupied by a different person than the owner of the land may be listed and assessed separately from the land only if the improvement or appurtenance is held, possessed, controlled, or occupied under a memorandum of lease or other contract that is recorded with the county recorder before January 1, 1998."

Page 3, delete lines 1 through 25.

Page 3, line 28, after "permits" insert "**places a mobile home or**".

Page 3, line 32, strike "ten (10)" and insert "**thirty (30)**".

Page 3, delete lines 34 through 42, begin a new paragraph and insert:

"(b) This subsection applies to a person that operates a mobile home community. In addition to the requirements of subsection (a), if a person to whom this subsection applies places a mobile home or allows a mobile home to be placed in the mobile home community, if a sale or lease of a mobile home previously held as inventory occurs, or if the status of a mobile home is changed to inventory, the person shall furnish the following information and other items to the assessor of the township in which the mobile home community is located, or the county assessor if there is no township assessor for the township, within thirty (30) days after the mobile home is placed in the mobile home community, the sale or lease of the mobile home occurs, or the change in status of the mobile home to inventory occurs:

(1) If applicable, notice of the sale or lease of the mobile home or the change in status of the mobile home to inventory."

Page 4, line 1, delete "(1)" and insert "(2)".

Page 4, line 3, delete "(2)" and insert "(3)".

Page 4, line 4, delete "(3)" and insert "(4)".

Page 4, line 5, after "made" delete "." and insert ", or, if no title exists:

(A) a petition filed with a court requesting an order by the court for the title of the mobile home; or

(B) a bureau of motor vehicles affidavit of sale or disposal."

Page 4, line 6, delete "(4)" and insert "(5)".

Page 4, line 9, strike "ten (10)" and insert "**thirty (30)**".

Page 4, line 15, after "IC 9-22-1.5" insert ", **IC 9-22-1.7, or IC 6-1.1-23.5**".

Page 4, line 18, after "owner" insert "**or the owner's agent**".

Page 4, line 23, after "owner" insert "**or the owner's agent**".

Page 4, line 30, after "title" delete "or" and insert ", a".

Page 4, line 30, after "order" delete "." and insert ", **or a bureau of motor vehicles affidavit of sale or disposal**".

Page 5, line 2, after "owner" insert "**or the owner's agent**".

Page 7, line 29, delete "will" and insert "**may**".

Page 7, line 35, delete "will" and insert "**may**".

Page 11, line 16, delete "creditor who annually requests, by certified" and insert "**party having a substantial property interest of record**".

Page 11, delete line 17.

Page 12, line 10, delete "The department of local".

Page 12, delete lines 11 through 13.

Page 14, line 40, delete "provided" and insert "**prepared**".

Page 14, line 40, delete "13" and insert "**4**".

Page 15, line 38, delete "or".

Page 15, delete line 39, begin a new line block indented and insert:

"(2) has deteriorated to the extent that it can no longer provide suitable protection from the elements and can no longer be used as a primary place of residence; or

(3) has little or no value as a structure to be rehabilitated for use as a primary place of residence."

Page 15, line 40, delete "or" and insert ",".

Page 15, line 40, after "remediation" insert ", **or rehabilitation**".

Page 15, line 41, after "home." insert "**If such a determination is made, the owner of the real property on which the mobile home is placed may proceed on behalf of and in place of the title owner under IC 6-1.1-7-15**".

Page 16, between lines 23 and 24, begin a new line block indented and insert:

"(4) Fourth, to the payments of any amounts owed to the owner of a mobile home community under IC 16-41-27-29."

Page 16, line 24, delete "(4) Fourth," and insert "**(5) Fifth**".

Page 22, line 11, delete "2018." and insert "**2020**".

Page 22, line 18, delete "2017." and insert "**2019**".

Page 22, delete line 21.

Page 22, line 22, delete "(2)" and insert "**(1)**".

Page 22, line 25, delete "(3)" and insert "**(2)**".

Page 22, line 27, delete "(4) A" and insert "**(3) Beginning after September 30, 2020, a**".

Page 22, line 29, delete "(5)" and insert "**(4)**".

(Reference is to SB 455 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 500, has had the same under

consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 6, after "rules" insert ", **covenants, declarations of restrictions, and other governing documents of a homeowners association**".

Page 1, line 6, delete "a" and insert "**the**".
(Reference is to SB 500 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 5, Nays 2.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 507, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 20, delete lines 6 through 24.
Page 21, delete lines 8 through 12.
Page 21, line 15, reset in roman "twenty-first century research".
Page 21, line 16, reset in roman "and technology".
Page 21, line 16, delete "innovation and entrepreneurship".
Page 26, delete line 33.
Page 31, line 31, delete "shall" and insert "**may**".
Page 31, line 35, delete "shall:" and insert "**may:**".
Page 38, delete lines 3 through 42.
Delete pages 39 through 42.
Page 43, delete lines 1 through 18.
Page 46, delete lines 3 through 6.
Re-number all SECTIONS consecutively.
(Reference is to SB 507 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 1.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred House Bill 1230, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

ECKERTY, Chair

Report adopted.

SENATE MOTION

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

SCR 12 Senator Kruse
Recommending education concerning the health impact of heavy backpacks.

HCR 17 Senator Kruse
Recognizing the Auburn Development Advisory Committee.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 12

Senate Concurrent Resolution 12, introduced by Senators Kruse and Raatz:

A CONCURRENT RESOLUTION recommending that all school administrators, teachers, parents, and students be educated about the potential health impact of heavy backpacks and take proactive measures to avoid injury.

Whereas, Overloaded school backpacks are causing an increasing problem of back pain and spinal strain for students across the nation;

Whereas, Because spinal ligaments and muscles are not fully developed until after age sixteen, overweight backpacks are a source of repeated low-level stress that may result in chronic neck, shoulder, or back pain in children;

Whereas, According to the U.S. Consumer Product Safety Commission, more than 7,000 emergency room visits each year are due to backpack-related injuries;

Whereas, In 2010 alone, physicians' offices, clinics, and hospital emergency rooms treated nearly 28,000 strains, sprains, dislocations, and fractures from backpacks;

Whereas, Studies have shown heavy loads carried on the back have the potential to damage the soft tissues of the shoulder, causing microstructural damage to the nerves and damage to internal organs;

Whereas, Studies have shown an increase in curvatures of the spine and compressed intervertebral height when backpacks exceed ten percent of a child's body weight;

Whereas, The Global Burden of Disease Study of 2010 showed back pain as the number one cause of disability worldwide and musculoskeletal disorders as the second cause;

Whereas, Children's textbooks are much heavier now than many years ago, and in addition to textbooks, students often carry computers, cell phones, water bottles, running shoes, band instruments, and other equipment considered essential to have readily available;

Whereas, More than ninety percent of students carry backpacks, which in studies have been found to weigh as much as twenty-five percent of the child's body weight;

Whereas, Backpacks are often not worn correctly - often slung over one shoulder or allowed to hang significantly below the waistline, increasing the weight on the shoulders and making the child lean forward when walking or stoop forward when standing to compensate for the weight;

Whereas, The Indiana General Assembly urges that Doctors of Chiropractic be permitted to conduct mandatory interval scoliosis examinations on children;

Whereas, It is fitting that the Indiana General Assembly strongly recommends that all school administrators, teachers, parents, and students be educated about the potential health impact of heavy backpacks and take proactive measures to avoid injury: 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 strongly recommends that all school administrators, teachers, parents, and students be educated about the potential health impact of heavy backpacks and take proactive measures to avoid injury.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Jennifer McCormick, Indiana Superintendent of Public Instruction.

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

House Concurrent Resolution 17

House Concurrent Resolution 17, sponsored by Senator Kruse:

A CONCURRENT RESOLUTION recognizing the Auburn Development Advisory Committee.

Whereas, Established in 2009, the Auburn Development Advisory Committee (ADAC) is Auburn's recognized Main Street Organization;

Whereas, The mission of the ADAC is to encourage revitalization and sustainable growth in Auburn;

Whereas, The ADAC accomplishes its mission in numerous ways including promoting and celebrating Auburn's "Home of the Classics" legacy and collaborating with other like-minded organizations at the city and state level;

Whereas, In order to better accomplish its mission, the ADAC has designated the month of February as "We Love Auburn" month; and

Whereas, "We Love Auburn" month will showcase local cancer awareness initiatives, wineries and breweries, musicians, 4-H clubs, and more in and around Auburn: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the Auburn Development Advisory Committee and its efforts to revitalize Auburn.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Sarah Payne, Auburn Development Advisory Committee Promotions Committee Chairperson, and Zach Lightner, Auburn Development Advisory Committee Fund Development Chairperson.

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

Senate Concurrent Resolution 9

Senate Concurrent Resolution 9, introduced by Senators L. Brown and Long:

A CONCURRENT RESOLUTION congratulating the Carroll High School boys cross country team on its 2016 IHSAA state championship title.

Whereas, On October 29, 2016, the Carroll High School boys cross country team won its first IHSAA state championship title at the LaVern Gibson Championship Cross Country Course in Terre Haute, Indiana;

Whereas, After completing an undefeated regular season, the Carroll High School boys cross country team won the Sectional, Regional, and Semi-State meets;

Whereas, At the 2016 IHSAA state championship meet, the Carroll High School boys team tallied 71 points to take top honors over defending state champion Carmel High School;

Whereas, The team was led by sophomore Cole Powers' 10th place finish, and senior Carter Meyer's 17th place finish, earning both All State Honors;

Whereas, Also contributing to the Chargers team score were sophomore Draven Thompson, junior Connor Goetz, and senior Dawson Winters, followed by senior Braden Clements and sophomore Cory Waldron;

Whereas, Zachary Sorg, Jack Just, Weston Miser, Cooper Green, Chase Miguel, and Hunter Wallace were also members of the state champion varsity squad;

Whereas, The Carroll High School boys cross country team is coached by Phil Yoder and David Brooks;

Whereas, The members of the Carroll High School boys cross country team are student-athletes who balanced countless hours of cross country training, meets, and competitions on top of a full academic course load;

Whereas, The Indiana General Assembly commends these state championship winning student-athletes on their hard work, integrity, and commitment to both academics and athletics; and

Whereas, It is fitting that the Indiana General Assembly congratulates the Carroll High School boys cross country team on its 2016 undefeated season and state championship title: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Carroll High School boys cross country team on its 2016 IHSAA state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Phil Yoder, Head Coach of the Carroll High School boys cross country team, David Brooks, Assistant Coach of the Carroll High School boys cross country team, Dan Ginder, Athletic Director of Carroll High School, and the members of the Carroll High School boys cross country team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Carbaugh and Smaltz.

Senate Concurrent Resolution 8

Senate Concurrent Resolution 8, introduced by Senators L. Brown and Kruse:

A CONCURRENT RESOLUTION congratulating the Blackhawk Christian High School girls volleyball team on its IHSAA 1-A state championship title.

Whereas, Blackhawk Christian High School Lady Braves won the Class 1-A volleyball state championship title for the first time on November 5, 2016;

Whereas, The Lady Braves defeated Christian Academy of Indiana in four sets (27-25, 25-13, 20-25, 25-20) to win their

first state championship in volleyball at Ball State University's Worthen Arena;

Whereas, Senior outside hitter Olivia Martin led the Lady Braves on a record-setting day with 27 kills, which is a new Class 1-A, four-set match state record, and she was also named Class 1-A's Mental Attitude Award winner;

Whereas, Casey Bunner added 18 kills, and Ally Barkhaus had 13 kills;

Whereas, The Lady Braves are coached by Lindsay Roth, and they ended their season with an impressive record of 31-5;

Whereas, The members of the Blackhawk Christian High School volleyball team are student-athletes who balanced countless hours of volleyball practice on top of a full academic course load;

Whereas, The Indiana General Assembly commends the student-athletes of the Blackhawk Christian High School volleyball team for their hard work, integrity, and commitment to both academics and volleyball; and

Whereas, It is fitting that the Indiana General Assembly congratulate the Blackhawk Christian High School volleyball team on its successful season and state championship title: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Blackhawk Christian High School volleyball team on its IHSAA 1-A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Mark Harmon, Principal of Blackhawk Christian High School, Lindsay Roth, Head Coach of the Blackhawk Christian High School volleyball team, and Joel Cotton, Athletic Director of Blackhawk Christian High School.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Heine and Carbaugh.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 19 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 18 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE BILLS ON SECOND READING

Senate Bill 386

Senator Niemeier called up Senate Bill 386 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 386-1)

Madam President: I move that Senate Bill 386 be amended to read as follows:

Page 3, line 25, delete "hearing" and insert "**meeting**".

Page 5, line 31, after "on" insert "**at the time of the preliminary informal meeting**".

(Reference is to SB 386 as printed February 3, 2017.)

NIEMEIER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 392

Senator Stoops called up Senate Bill 392 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 449

Senator Niemeier called up Senate Bill 449 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 449-1)

Madam President: I move that Senate Bill 449 be amended to read as follows:

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

"(d) The term of a contract for services under subsection (a) that is entered into after June 30, 2017, may not exceed one (1) year."

(Reference is to SB 449 as printed February 1, 2017.)

NIEMEIER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 539

Senator Bray called up Senate Bill 539 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 539-1)

Madam President: I move that Senate Bill 539 be amended to read as follows:

Page 1, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 3. IC 3-8-7-8, AS AMENDED BY P.L.169-2015, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 8. (a) This section applies to a state convention conducted by a political party described by IC 3-8-4-1.

(b) The state chairman and state secretary of the political party holding the state convention shall certify each candidate nominated at the convention to the secretary of state not later than noon July 15 before the general election.

(c) The certificate must be in writing and state the following:

(1) The name of each candidate nominated as:

(A) the candidate wants the candidate's name to appear on the ballot; and

(B) the candidate's name is permitted to appear on the ballot under IC 3-5-7.

(2) Each candidate's residence address.

(3) Whether each candidate nominated by the convention has complied with IC 3-9-1-5 by filing a campaign finance statement of organization.

(4) The following statements:

(A) A statement that the candidate has attached either of the following to the certificate:

(i) A copy of a statement of economic interests, file stamped by the office required to receive the statement of economic interests.

(ii) A receipt or photocopy of a receipt showing that a statement of economic interests has been filed.

This requirement does not apply to a candidate for a federal office.

(B) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to obtain and file an individual surety bond before serving in the office. This requirement does not apply to a candidate for a federal office or legislative office.

(C) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to successfully complete training or have attained certification related to service in an elected office. This requirement does not apply to a candidate for a federal office, state office, or legislative office.

(D) A statement that the candidate:

(i) is aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign contributions and expenditures; and

(ii) agrees to comply with the provisions of IC 3-9.

This requirement does not apply to a candidate for a federal office.

The candidate must separately initial each of the statements required by this subdivision.

(d) The election division shall prescribe the form of the certificate of nomination for the offices. The election division

shall provide that the form of the certificate of nomination include the following information:

(1) The dates for filing campaign finance reports under IC 3-9.

(2) The penalties for late filing of campaign finance reports under IC 3-9.

(e) A certificate of nomination must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the certificate of nomination. If there is a difference between the name on the candidate's certificate of nomination and the name on the candidate's voter registration record, the officer with whom the certificate of nomination is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's certificate of nomination.

(f) The certificate of nomination must be signed by the state chairman and state secretary of the political party holding the convention, and set forth the name and residence of the chairman and secretary. The chairman and secretary shall acknowledge the certificate before an individual authorized to administer oaths under ~~IC 33-42-4-1~~. **IC 33-42-9**. The signed acknowledgment must be included in the certificate of nomination executed under this section.

SECTION 4. IC 3-8-7-10, AS AMENDED BY P.L.76-2014, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 10. (a) This section applies to a county, city, or town convention conducted by a political party described by IC 3-8-4-1.

(b) A certificate of nomination by convention or primary election must satisfy all of the following:

(1) Be in writing.

(2) Contain all of the following information for each person nominated:

(A) The name of each person nominated as:

(i) the person wants the person's name to appear on the ballot; and

(ii) the person's name is permitted to appear on the ballot under IC 3-5-7.

(B) Each person's residence address.

(C) The office for which each person is nominated.

(3) Be signed by the chairman and secretary of the county, city, or town committee, who shall also give their respective places of residence and acknowledge the certificate before an individual authorized to administer oaths under ~~IC 33-42-4-1~~. **IC 33-42-9**. The signed acknowledgment must be included in the certificate of nomination executed under this section."

Page 23, line 39, delete "IC 33-42-0.5-1(14)." and insert "**IC 33-42-0.5-1(5)**".

Page 24, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 28. IC 35-52-33-6 IS REPEALED [EFFECTIVE JANUARY 1, 2018]. ~~Sec. 6. IC 33-42-4-2 defines a crime concerning notaries public.~~

SECTION 29. IC 35-52-33-7 IS REPEALED [EFFECTIVE JANUARY 1, 2018]. ~~Sec. 7. IC 33-42-4-3 defines a crime concerning notaries public."~~

Renumber all SECTIONS consecutively.

(Reference is to SB 539 as printed February 3, 2017.)

BRAY

Motion prevailed. The bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 77

Senator Ford called up Engrossed Senate Bill 77 for third reading:

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

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

Roll Call 74: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Ober, Carbaugh and Heaton.

Engrossed Senate Bill 151

Senator Merritt called up Engrossed Senate Bill 151 for third reading:

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

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

Roll Call 75: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Clere and Kirchhofer.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 20

House Concurrent Resolution 20, sponsored by Senator Glick:

A CONCURRENT RESOLUTION recognizing Brianna DeCamp and Jordan Axel.

Whereas, Two Kendallville women were crowned Miss Indiana 2016 and Miss Indiana's Outstanding Teen 2016 at the Zionsville High School Performing Arts Center from among the 34 Miss Indiana contestants and 27 Outstanding Teen contestants who competed;

Whereas, Brianna DeCamp, a 22-year-old 2016 graduate of Miami University (Ohio), was named Miss Indiana 2016;

Whereas, Brianna DeCamp has a bachelor's degree in Special Education;

Whereas, Jordan Axel, a 17-year-old student at East Noble High School, was named Miss Indiana's Outstanding Teen 2016;

Whereas, The Miss Indiana organization, established in 1927, annually awards more than \$45,000 in scholarships; and

Whereas, Special 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 Brianna DeCamp and Jordan Axel on being named Miss Indiana 2016 and Miss Indiana's Outstanding Teen 2016, respectively.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Brianna DeCamp and Jordan Axel and their families.

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

House Concurrent Resolution 21

House Concurrent Resolution 21, sponsored by Senator Buck:

A CONCURRENT RESOLUTION memorializing Jean Paul Lushin.

Whereas, Jean Paul Lushin, a recipient of awards from an Indiana governor and a United States president, passed away on Tuesday, January 24, 2017, at the age of 79;

Whereas, Born on June 22, 1937, in Kokomo, Jean Paul Lushin was the son of the late Paul Kosta Lushin, an immigrant from Macedonia who settled in Kokomo in 1926 to work in the steel mill, and Mary Helen Lushin (Tate) from Russiaville;

Whereas, Jean Paul Lushin graduated from Kokomo High School and served in the United States Marine Corps for two years;

Whereas, Jean Paul Lushin is best remembered for his leadership in the drive to eliminate poverty in Howard County and for working to help those seeking his assistance, often going beyond the call of duty in his efforts;

Whereas, Best known for his service as a Center Township trustee in Howard County, Jean Paul Lushin was known as a person willing to fight for his beliefs;

Whereas, When asked to fill the vacated Center Township trustee seat, Jean Paul Lushin eagerly accepted the position and the challenge;

Whereas, Throughout his time in office, Jean Paul Lushin led the charge to reshape township government statewide, including legislative reform and mentoring other trustees;

Whereas, Jean Paul Lushin was committed and dedicated to his community, establishing the Homeless Drop-In Center, CAM, Inc., initiating the repair of the Highland Park Stage, and, for 35 years, working as the volunteer executive director of Goodfellows of Kokomo, Inc. to provide Christmas to thousands of needy families;

Whereas, Always willing to give of himself and his time, Jean Paul Lushin also served as chairman of the Howard County Township Consolidation Study Group, two terms as president of the Indiana Township Association, and 15 years as the Indiana Township Legislative Chair;

Whereas, In recognition of his many accomplishments, Jean Paul Lushin was named Trustee of the Year in 1991, and, in 1992, under his leadership, Center Township was recognized as Township of the Year;

Whereas, He received the Jean Paul Lushin Lifetime Achievement Award in 2014 from the Indiana Township Association, an award created in his honor;

Whereas, Jean Paul Lushin spent more than 50 years in the service of others; and

Whereas, Jean Paul Lushin spent his life caring for those who needed his help, and his death has left a void that can never be filled: Therefore,

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

SECTION 1. That the Indiana General Assembly expresses its heartfelt sympathy and condolences to the family of Jean Paul Lushin. The members of the Indiana General Assembly deeply appreciate the many contributions made to the community, the

county, and the state by Jean Paul Lushin and recognize the huge loss that is felt by people throughout Indiana who knew and loved Jean Paul Lushin.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the family of Jean Paul Lushin.

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

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 182

Senator Houchin called up Engrossed Senate Bill 182 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 76: yeas 42, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Behning, Davisson and DeVon.

Engrossed Senate Bill 249

Senator Raatz called up Engrossed Senate Bill 249 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 77: yeas 44, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Thompson.

Engrossed Senate Bill 262

Senator Tallian called up Engrossed Senate Bill 262 for third reading:

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

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

Roll Call 78: yeas 41, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair

instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative T. Brown.

Engrossed Senate Bill 345

Senator M. Young called up Engrossed Senate Bill 345 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 79: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Washburne and Steuerwald.

Engrossed Senate Bill 351

Senator Eckerty called up Engrossed Senate Bill 351 for third reading:

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

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

Roll Call 80: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives McNamara and Sullivan.

Engrossed Senate Bill 358

Senator Alting called up Engrossed Senate Bill 358 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

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

Roll Call 81: yeas 39, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Smaltz.

Engrossed Senate Bill 448

Senator Niemeyer called up Engrossed Senate Bill 448 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 82: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Slager and Aylesworth.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Charbonneau, Crane, Crider, Delph, Doriot, Eckerty, Ford, Freeman, Glick, Grooms, Head, Hershman, Holdman, Houchin, Kenley, Koch, Kruse, Lanane, Leising, Long, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Ruckelshaus, Sandlin, J. Smith, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zakas and Zay be added as cosponsors of House Concurrent Resolution 21.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Bassler and Ford be added as coauthors of Senate Bill 1.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as coauthor of Senate Bill 59.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 59.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 151.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as

second author and Senator Grooms be added as coauthor of Senate Bill 358.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 358.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 386.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 405.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as coauthor of Senate Bill 412.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Grooms and Messmer be added as coauthors of Senate Bill 435.

MRVAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator L. Brown be added as second author of Senate Bill 448.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as coauthor of Senate Bill 448.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as coauthor of Senate Bill 449.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 449.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author, Senator Mrvan be added as third author, and Senators Doriot, Melton, Niezgodski, Sandlin, Niemeyer, Ford and Merritt be added as coauthors of Senate Bill 454.

DELPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as second author of Senate Bill 456.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, February 9, 2017.

LONG

Motion prevailed.

The Senate adjourned at 3:10 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate