



Journal of the Senate

State of Indiana

118th General Assembly

Second Regular Session

Twenty-second Meeting Day

Thursday Afternoon

February 20, 2014

The Senate convened at 1:37 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Pastor Matt Barnes.

The Pledge of Allegiance to the Flag was led by Senator Vaneta G. Becker.

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

Alting	Merritt
Arnold	Miller, Patricia
Banks	Miller, Pete
Becker	Mishler
Boots	Mrvan <input type="checkbox"/>
Bray	Nugent
Breaux	Paul
Broden	Randolph
Buck	Rogers <input type="checkbox"/>
Charbonneau	Schneider
Crider	Skinner
Delph	Smith
Eckerty	Steele
Glick	Stoops
Grooms	Tallian
Head	Taylor
Hershman	Tomes
Holdman	Walker
Hume <input type="checkbox"/>	Waltz
Kenley	Waterman
Kruse <input type="checkbox"/>	Wyss
Lanane	Yoder
Landske <input type="checkbox"/>	Young, M.
Leising	Young, R.
Long	Zakas

Roll Call 210: present 45; excused 5. [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.

The Senate recessed for the remarks of United States Congresswoman Susan Brooks.

RESOLUTIONS ON FIRST READING

Senate Resolution 19

Senate Resolution 19, introduced by Senator Patricia Miller:

A SENATE RESOLUTION congratulating the Warren

Central High School football team on their Class 6A state championship victory.

Whereas, The Warren Central High School Warriors defeated the Carmel High School Greyhounds 7-6 to win the first Class 6A state title game in Indiana history;

Whereas, The Warriors are now 8-0 in championship games in three different classes since 1984;

Whereas, Behind 6-0 with 14 seconds left in the third quarter, Warren Central's Darion Howard recovered a Carmel fumble;

Whereas, On the next play, quarterback Jeff George threw an 18-yard touchdown pass to Zachary Gegner, giving the Warriors a 7-6 lead;

Whereas, With 3 minutes and 7 seconds remaining in the game, Warren Central's Mykelti Williams intercepted a pass and the Warriors kept the Carmel Greyhounds from scoring for the remainder of the game;

Whereas, Warren Central went on to enjoy a victory in the first Class 6A state championship;

Whereas, Warren Central's head coach, Jayson West, became the first coach to win back-to-back state titles at different schools; and

Whereas, Excellence deserves special recognition: Therefore,

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

SECTION 1. That the Indiana Senate congratulates the Warren Central High School football team on their historical victory and wishes them continued success in all their future endeavors.

SECTION 2. That the copies of this resolution be transmitted by the Secretary of the Senate to each member of the Warren Central High School football team, coaches, managers, Warren Central's school principal, and the school's superintendent.

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

Senate Resolution 39

Senate Resolution 39, introduced by Senator Boots:

A SENATE RESOLUTION urging the legislative council to assign the topic of the common construction wage to the

appropriate committee.

Whereas, Since 1935, Indiana's Common Construction Wage Act has established the wage rates paid to construction workers on public works projects;

Whereas, The establishment of a fair and equitable common construction wage benefits our state and its workers in numerous ways, including more cost-effective construction and more skilled and better-paid workers;

Whereas, It behooves our state to ensure that the process used to establish the common construction wage is fair and equitable; and

Whereas, Hoosiers must ensure fairness in the construction of public projects: Therefore,

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

SECTION 1. That the legislative council is urged to assign the topic of the common construction wage to the appropriate committee.

SECTION 2. That if the legislative council assigns this topic to the appropriate committee, the committee should consist of legislative members and representatives of the construction industry who are familiar with the common construction wage from the labor and business perspective.

The resolution was read in full and referred to the Committee on Pensions and Labor.

Senate Resolution 47

Senate Resolution 47, introduced by Senator Charbonneau:

A SENATE RESOLUTION supporting North American energy independence.

Whereas, New technology and accessible reserves, including the vast Canadian oil reserves that are second to only Saudi Arabia and the Bakken formations in Montana and the Dakotas, have positioned North America to become a global leader in oil and natural gas production;

Whereas, These energy reserves and new developments have become a catalyst for economic growth, bringing affordable energy, jobs, revenues, and an accompanying resurgence of manufacturing, the energy industry contributing more than one trillion dollars annually to the United States' economy and supporting more than nine million jobs;

Whereas, Both the United States and North America as a whole have a historic opportunity to enhance national energy security and affordability even more at this time as well;

Whereas, A secure supply of oil and natural gas is not only

needed for Americans to continue to heat their homes, cook their food, and drive their vehicles, but a secure supply is also needed to allow the United States economy to thrive and grow free from the potential threats and disruptions of the crude oil supply from less secure parts of the world;

Whereas, The need for energy independence is even greater when taking into the account that worldwide competition for oil and natural gas will only increase as third world countries' economies and populations continue to grow;

Whereas, A key part in ensuring the United States and North America's independence is the Keystone XL pipeline and other such projects, as pipelines are the safest method for transporting crude oil, the project will reduce greenhouse gas emissions by reducing the amount of train and ocean tankers needed to transport resources, the project will create 9,000 construction jobs, 75% of the pipe would come from North American mills, and in the fifth Environmental Impact Statement conducted in five years, the Keystone XL pipeline is projected to ultimately support more than 42,000 jobs overall and put two billion dollars in workers' pockets over two years;

Whereas, Policy should also be considered to overturn current rules that limit offshore oil and natural gas resources, as the United States could be 100% energy independent for liquid fuels by 2025 if the federal government opened access to areas currently off limits and partnered with Canada to maximize its oil sands; and

Whereas, National policy makers should thus be urged to adopt an energy approach that increases the United States and North America's energy security as a whole, ensures the availability of needed pipelines and infrastructure, and that stimulates the economy and creates jobs: Therefore,

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

SECTION 1. That the Indiana Senate supports current and future efforts to achieve North American energy independence.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of Congress.

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

Senate Resolution 48

Senate Resolution 48, introduced by Senator Kruse:

A SENATE RESOLUTION recognizing the importance of all schools and libraries being equipped with high-capacity, high-speed broadband connectivity.

Whereas, February 5, 2014, marked national Digital Learning Day, bringing to the forefront the broadband

imperative currently facing schools and libraries in all communities across the state of Indiana;

Whereas, Broadband has become the enabling technology of the modern learning environment, is now as vital to schools as brick and mortar infrastructure and utilities, and has the power to transform classrooms and transmit information, helping to support students in acquiring 21st Century skills and making learning environments more engaging and relevant;

Whereas, Broadband and other technology tools have the ability to increase education capacity as well through online academies, project-based and personalized learning, AP and dual credit, and STEM initiatives;

Whereas, Increased broadband capacity will also improve the efficiency of data management and information sharing by schools with parents and community stakeholders, as teacher evaluations can be moved online to provide immediate feedback to help improve classroom instruction, and parents can be more readily informed about their students' academic progress;

Whereas, Libraries benefit from high-capacity, high-speed broadband connectivity as well, as they have notably become community resource centers of digital information where people can learn about healthcare, e-government services, search for available jobs, and more;

Whereas, While reliable internet connectivity has become a necessity of schools and libraries, the current capacity of the broadband connections is inadequate;

Whereas, Despite this need, school and library budgets are constrained by inflation and other expenses, the state school and library connectivity grant only addresses ten percent of the costs for the local portion of the requests for these services, and thus affordability and funding remain a barrier to securing adequate bandwidth capacity; and

Whereas, If Indiana's bold educational initiatives, including creating thriving students and a high-tech workforce, are to become successful and sustainable, the state must prioritize in terms of investing in a robust, fiber-based network of internet broadband to connect the demand for this technology with the necessary funding: Therefore,

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

SECTION 1. That the Indiana Senate recognizes the broadband imperative facing schools and libraries in all communities across the state of Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the Executive Directors of the Indiana State Library, the Indiana Library Federation, the Indiana Association of School Business Officials, the Indiana Association of Public School Superintendents, the Indiana

School Boards Association, the Indiana Urban Schools Association, the Indiana Rural and Small Schools Association, the Indiana Association of School Principals, the Consortium on School Networking, the Indiana Chief Technology Officers Council, the Indiana Federation of Teachers, and the Indiana State Teachers Association.

The resolution was read in full and referred to the Committee on Education and Career Development.

House Concurrent Resolution 7

House Concurrent Resolution 7, sponsored by Senator Kruse:

A CONCURRENT RESOLUTION requesting the Indiana Department of Transportation name that portion of U.S. Highway 24 from U.S. Highway 30 east of New Haven to State Line Road in Allen County the "Phyllis J. Pond Memorial Highway".

Whereas, Representative Phyllis J. Pond passed away on September 22, 2013;

Whereas, Residing in New Haven, Representative Pond was elected to the House of Representatives in 1978 and was the longest-serving woman in the state's history;

Whereas, Representative Pond was the first woman to earn a seat in the first row of the House, an honor reserved for high ranking members with seniority;

Whereas, During her 35 years in office, Representative Pond was committed to the people of her district and her state;

Whereas, Representative Pond was a strong advocate for the construction of the U.S. Highway 24 "Fort to Port" project between New Haven and the Indiana - Ohio state line;

Whereas, The "Fort to Port" project was designed to improve access and safety and promote economic development across northeastern Indiana and northern Ohio;

Whereas, Representative Pond was a retired kindergarten teacher who was well known for introducing measures that reduced class sizes throughout the state and helped minority students attend law school; and

Whereas, It is, therefore, fitting that the proper signage be placed on U.S. Highway 24 between U.S. Highway 30 east of New Haven, Indiana, and State Line Road in Allen County, Indiana, to designate it as the "Phyllis J. Pond Memorial Highway": 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 deepest condolences to the family of Representative Phyllis J.

Pond and its sincerest gratitude for her years of dedicated service to her district and her state and to honor her memory by requesting that the Indiana Department of Transportation name that portion of U.S. Highway 24 between U.S. Highway 30 east of New Haven and State Line Road in Allen County in her honor.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the family of Representative Phyllis J. Pond and the Commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security, Transportation and Veterans Affairs.

Senate Concurrent Resolution 29

Senate Concurrent Resolution 29, introduced by Senator Taylor:

A CONCURRENT RESOLUTION congratulating the Cardinal Ritter High School Raiders for winning the 2013-14 Class 2A State Football Championship.

Whereas, The Cardinal Ritter High School Raiders won the state title with an impressive 56-6 win over Tipton High School;

Whereas, The Raiders were led to victory under the guidance of Head Coach Ty Hunt, Assistant Head Coach Vince Purichia, and Assistant Coaches Paul Douglass, Steve Steinacker, Spencer King, Tyrone Chandler, Randy DeGolyer, Jason Sims, William McClain, Austin Crapo, and Joe Pfennig;

Whereas, Seniors on the Raiders' roster include Rsom Abraha, Ell Arnold, Logan Beaman, Josh Diagostino, Allen Dininger, Dylan Faulkenberg, Daniel Fesenmeier, Reggie Gayden, Jake Hagan, Kyree Hollis, Patrick Magee, Leo Metallic, Nathan Meyer, Kaelin Nichols, Jake Purichia, and Jack Steinacker;

Whereas, Juniors on the Raiders' roster include Kylin Bass, Ethan Briggeman, Jeffrey Cmehil, Nick Conklin, Andre Guy, Ian Johnson, Austin Kane, James Magee, Frank Roselli, Grant Schrack, Collin Sweeney, Lance Unland, Christian Vela, and Tommy Waites;

Whereas, Sophomores on the Raiders' roster include Noah Albrecht, Luke Armbruster, Jack Brown, Brian Dade, Alex Downard, Joseph Everett, James Johnson, Patrick Kaiser, Max Kirk, Nick Leverenz, Josh Majors, Brendan McCoy, Griffen Miller, Chris Navarrete, Dustyn Ogle, Wesley Ricketts, Xavier Russell, Nick Wilson, and Quentin Yockey;

Whereas, Freshmen on the Raiders' roster include Sam Adams, Santiago Albarran, Trevor Browder, Anthony Dumes, Fred Durham, Max Egenolf, Lance Ellington, Matt Gangwer, Courtney Harris, Alex Hornaday, Eli Johnson, Kevin Johnson, Daniel McDonald, Liam Nowlin, Will Shriner, Ben Szeszycki, Stephen Timmons, and Zach Yetter;

Whereas, The Raiders' finished their regular season with a 13-2 total;

Whereas, In the first quarter, the Raiders raced to a 21-0 lead over Tipton;

Whereas, Raiders offensive and defensive lineman Daniel Fesenmeier earned the 2A Mental Attitude award;

Whereas, Receiver/defensive back Kyree Hollis scored three touchdowns and caught his tenth interception of the season;

Whereas, Tommy Waites scored on an 89-yard kickoff return;

Whereas, Logan Beaman led the Raiders' rushing attack with 95 yards on 13 carries, including a touchdown run; and

Whereas, In the post-season, Quarterback Jake Purichia surpassed a 12 year record for the most career touchdown passes with a total of 2,854 passing yards: Therefore,

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

SECTION 1. The Indiana General Assembly congratulates the Cardinal Ritter High School football team for winning the 2013-14 Class 2A State Football Championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of the resolution to the coaches and players.

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 Pryor and Porter.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Concurrent Resolution 10, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution be amended as follows:

Page 1, delete lines 10 through 16.

(Reference is to SCR 10 as introduced.)

and when so amended that said resolution do pass.

Committee Vote: Yeas 5, Nays 2.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1002, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 8-14-14-5, AS AMENDED BY P.L.35-2012, SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The major moves construction fund is established for the purpose of:

- (1) funding projects, other than passenger or freight railroad systems as described in IC 8-15.7-2-14(a)(4), under IC 8-15.7 or IC 8-15-3;
- (2) funding other projects in the department's transportation plan; and
- (3) funding distributions under sections 6 and 7 of this chapter.

(b) The fund shall be administered by the department.

(c) Notwithstanding IC 5-13, 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 money is invested by the Indiana public retirement system under IC 5-10.3-5. However, the treasurer of state may not invest the money in the fund in equity securities. The treasurer of state may contract with investment management professionals, investment advisors, and legal counsel to assist in the investment of the fund and may pay the state expenses incurred under those contracts from the fund. Interest that accrues from these investments shall be deposited in the fund.

(d) The fund consists of the following:

- (1) Distributions to the fund from the toll road fund under IC 8-15.5-11.
- (2) Distributions to the fund from the next generation trust fund under IC 8-14-15.
- (3) Appropriations to the fund.
- (4) Gifts, grants, loans, bond proceeds, and other money received for deposit in the fund.
- (5) Revenues arising from:
 - (A) a tollway under IC 8-15-3 or IC 8-23-7-22; or
 - (B) a toll road under IC 8-15-2 or IC 8-23-7-23;

that the department designates as part of, and deposits in, the fund.

(6) Payments, other than payments for passenger or freight railroad systems as described in IC 8-15.7-2-14(a)(4), made to the authority or the department from operators under IC 8-15.7.

(7) Any money transferred to the fund under IC 8-14-14.1-4.

~~(7)~~ **(8)** Interest, premiums, or other earnings on the fund.

(e) The fund is considered a trust fund for purposes of IC 4-9.1-1-7. 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.

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

(g) Money in the fund must be appropriated by the general assembly to be available for expenditure.

SECTION 2. IC 8-14-14.1-3, AS ADDED BY P.L.205-2013, SECTION 135, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The major moves 2020 trust fund is established, to be used exclusively for major

highway expansion projects that enhance the ability of goods to be transported in and through Indiana.

(b) The fund shall be administered by the department.

(c) Notwithstanding IC 5-13, 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 money is invested by the Indiana public retirement system under IC 5-10.3-5. However, the treasurer of state may not invest the money in the fund in equity securities. The treasurer of state may contract with investment management professionals, investment advisors, and legal counsel to assist in the investment of the fund and may pay the state expenses incurred under those contracts from the fund. Interest that accrues from these investments shall be deposited in the fund.

(d) The fund consists of:

- (1) money transferred to the fund under subsection (h); and
- (2) any interest or other earnings on money in the fund.

(e) The fund is considered a trust fund for purposes of IC 4-9.1-1-7. 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. IC 4-9.1-1-8 and IC 4-9.1-1-9 do not apply to the fund.

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

(g) Money in the fund must be appropriated by the general assembly to be available for expenditure.

~~(h) On July 1, 2013 and on July 1, 2014, The budget agency may before July 1, 2015, direct the auditor of state shall to transfer not more than two hundred million dollars (\$200,000,000) to the fund from the state general fund. If the budget agency directs the auditor of state to make such a transfer, the auditor of state shall transfer to the fund the amount determined by the budget agency.~~ There is annually appropriated from the state general fund an amount sufficient to make the transfer under this subsection."

Page 1, line 4, delete "2015," and insert "2014,".

Page 1, line 4, delete "any" and insert "**not more than two hundred million dollars (\$200,000,000) from**".

Page 1, line 5, delete "balance in".

Page 1, line 5, delete "state highway fund" and insert "**major moves construction fund**".

Page 1, line 6, delete "IC 8-23-9-54." and insert "**IC 8-14-14-5**".

Page 1, line 7, delete "state highway fund." and insert "**major moves construction fund**".

Page 1, delete lines 8 through 16.

Delete page 2.

Page 3, delete lines 1 through 39.

Renumber all SECTIONS consecutively.

(Reference is to HB 1002 as reprinted January 31, 2014.) and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1004, 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:

Delete the title and insert the following:

A BILL FOR AN ACT concerning human services.

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "commission" refers to the prekindergarten and early learning study commission established by subsection (b).

(b) The prekindergarten and early learning study commission is established.

(c) The legislative council established by IC 2-5-1.1-1 shall determine the number of members to appoint to the commission. The members of the commission may consist of legislators and lay members. The legislative council shall specify the number of legislative members and lay members. The lay members must have expertise in the area of education, business, childhood development, or social services.

(d) The chairman of the legislative council shall appoint the chairperson of the commission. The vice chairman of the legislative council shall appoint a member of the commission to serve as vice chairperson of the commission. The chairman and vice chairman of the legislative council each shall appoint one-half (1/2) of the remaining members of the commission. If there is an odd number of members of the commission, the chairman of the legislative council appoints one (1) more member than the vice chairman of the legislative council.

(e) If a vacancy occurs on the commission, the legislative council shall appoint an individual to fill the vacancy.

(f) The commission shall do the following:

(1) Study the feasibility of obtaining a block grant and necessary waivers under the federal Head Start program under 42 U.S.C. 9831 et seq. to establish an early learning scholarship program or another type of alternative program.

(2) Study the feasibility of obtaining a Child Care and Development Block Grant under 42 U.S.C. 9858 et seq. or other federal funds to fund prekindergarten or early learning education programs in Indiana.

(3) Study options for funding prekindergarten or early learning programs, including opportunities to partner with businesses, philanthropic, or community leaders.

(4) Review whether other states have developed rigorous accountability standards for prekindergarten or early learning programs.

(5) Study parental involvement opportunities to prepare children for education outside the educational environment, including the benefits of reading to a child.

(6) Study opportunities to equip parents with skills necessary to improve the parent's ability to contribute to their child's early education.

(7) Study the economic benefits of prekindergarten or early learning programs.

(8) Study the appropriate state agency or entity to oversee and develop early learning accountability standards.

(9) Determine the appropriate income standard to use to determine whether a parent is eligible to receive assistance from the state for prekindergarten or early learning programs.

(10) Study opportunities to partner with an investment group or entity to establish an investment fund or vehicle to finance early education in Indiana.

(g) The commission shall submit a final report of the results of its study and any recommendations to the legislative council before November 1, 2014. The report must be in an electronic format under IC 5-14-6.

(h) The legislative services agency shall provide staff support to the commission.

(i) The affirmative votes of a majority of the members appointed to the commission are required for the commission to take action on any measure, including a final report.

(j) Except as otherwise specifically provided in this SECTION, the commission shall operate under the rules of the legislative council.

(k) This SECTION expires January 1, 2015.

SECTION 2. An emergency is declared for this act.

(Reference is to HB 1004 Printer's Error as reprinted January 14, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1009, 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 5, line 39, strike "as are to be searched for are there concealed;" and insert "sought are concealed there;".

Page 5, line 41, strike "then in knowledge of" and insert "known to".

Page 5, line 41, after "affiant" insert "through personal knowledge".

Page 5, line 42, strike "information".

Page 6, strike lines 20 through 21, begin a new line triple block indented and insert:

"In accordance with Indiana Trial Rule 11, I affirm under the penalties for perjury that the foregoing representations are true.

(Signed) Affiant Date".

Page 6, line 25, strike "sworn".

Page 6, line 25, after "testimony" insert "**subject to the penalties for perjury**".

Page 6, line 30, delete "when signed by the affiant." and insert "**or other electronic transmission**".

(b) If a warrant is issued under subsection (a)(1), the judge shall order the court reporter to type or transcribe the testimony from the hearing for entry in the record. The judge shall then certify the transcript."

Page 6, line 31, strike "(b)" and insert "(c)".

Page 6, line 39, strike "(c)" and insert "(d)".

Page 7, line 1, after "shall" insert "**sign, affix the date and time, and**".

Page 7, line 1, strike "The judge".

Page 7, strike lines 2 through 3.

Page 7, line 4, strike "(d)" and insert "(e)".

Page 7, line 9, strike "(e)" and insert "(f)".

Page 7, line 9, strike "the judge shall" and insert "**the facsimile copy of the affidavit and warrant sent to the judge shall be retained as if they were the originals. If a warrant is issued under subsection (a)(4), the electronically transmitted copy of the affidavit and warrant sent to the judge shall be printed and retained as if they were the originals.**".

Page 7, line 10, strike "order the court reporter to".

Page 7, line 10, strike "retype or copy the facsimile transmission".

Page 7, strike lines 11 through 12.

Page 7, line 13, strike "(f)" and insert "(g)".

Page 7, line 14, after "subsection" insert "**(a)(1) or**".

Page 7, line 14, strike "or (a)(3)".

Page 7, line 14, strike "or copy".

Page 7, line 16, strike "typed,".

Page 7, line 16, delete "transcribed," and insert "transcribed".

Page 7, line 16, strike "or copied".

Page 7, between lines 17 and 18, begin a new paragraph and insert:

"(h) The affiant and the judge may use an electronic signature on the affidavit and warrant. An electronic signature may be indicated by "s/Affiant's Name" or "s/Judge's Name" or by any other electronic means that identifies the affiant or judge and indicates that the affiant or judge adopts the contents of the document to which the electronic signature is affixed."

Page 7, line 31, after "rescue" insert "**or recovery**".

Page 8, line 10, delete "A law enforcement officer" and insert "**This subsection does not apply to electronic or video toll collection facilities or activities authorized under any of the following:**

(1) IC 8-15-2.

(2) IC 8-15-3.

(3) IC 8-15.5.

(4) IC 8-15.7.

(5) IC 8-16.

(6) IC 9-21-3.5.

A law enforcement officer"

Page 9, line 5, delete "office" and insert "**officer**".

Page 9, line 9, delete "as soon as".

Page 9, line 10, delete "is reasonably possible but".

Page 9, line 10, delete "ninety-six (96)" and insert "**seventy-two (72)**".

Page 10, line 40, delete "a law enforcement" and insert "**any of the following:**

(1) Electronic or video toll collection facilities or activities authorized under any of the following:

(A) IC 8-15-2.

(B) IC 8-15-3.

(C) IC 8-15.5.

(D) IC 8-15.7.

(E) IC 8-16.

(F) IC 9-21-3.5.

(2) A law enforcement officer who has obtained:

(A) a search warrant; or

(B) the consent of the owner or private property; to place a camera or electronic surveillance equipment on private property."

Page 10, delete lines 41 through 42.

Page 11, delete line 1.

Page 11, line 17, delete "piracy" and insert "**privacy**".

(Reference is to HB 1009 as reprinted January 31, 2014.) and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1027, 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 4, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE UPON PASSAGE] (a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.

(b) As used in this SECTION, "eligible property" means a parcel of real property that is owned, occupied, and used by a qualified taxpayer for one (1) or more of the purposes described in IC 6-1.1-10-16.

(c) As used in this SECTION, "qualified taxpayer" refers to a youth baseball association organized as a corporation that is exempt from federal income taxes.

(d) Before July 1, 2014, a qualified taxpayer may file with the county assessor of the county in which the eligible property is located a property tax exemption application and supporting documents claiming a property tax exemption under IC 6-1.1-10-16 and this SECTION for the eligible property for:

(1) the March 1, 2011, assessment date;

(2) the March 1, 2012, assessment date; or

(3) both.

(e) A property tax exemption application filed under subsection (d) by a qualified taxpayer is considered to have been timely filed.

(f) If the county assessor finds that the eligible property would have qualified for an exemption under IC 6-1.1-10-16 for an assessment date described in subsection (d) if the property tax exemption application had been filed under IC 6-1.1-11 in a timely manner for that assessment date:

(1) the property tax exemption for the eligible property shall be allowed and granted for that assessment date by the county assessor and county auditor without need of any further ruling or action by the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review; and

(2) the qualified taxpayer is not required to pay any:

- (A) property taxes;
- (B) penalties; or
- (C) interest;

resulting from the assessment of the qualified property for that assessment date.

(g) To the extent the qualified taxpayer has paid any property taxes, penalties, or interest with respect to the eligible property for an assessment date described in subsection (d), the qualified taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim in IC 6-1.1-26, any claim for a refund filed by a qualified taxpayer under this subsection before July 1, 2014, is considered timely filed. The county auditor may make a determination that any refund due under this SECTION must be paid in two (2) equal annual installments.

(h) This SECTION expires July 1, 2017."

Renumber all SECTIONS consecutively.

(Reference is to HB 1027 as printed January 27, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1028, 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:

Delete the title and insert the following:

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

Page 1, delete lines 1 through 2, begin a new paragraph and insert:

"SECTION 1. IC 20-24-1-2.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 2.3. "Adult high school" means a charter school that will".**

Page 1, delete lines 7 through 17.

Delete page 2, begin a new paragraph and insert:

"SECTION 2. IC 20-24-2.1-5 IS REPEALED [EFFECTIVE JULY 1, 2014]. **Sec. 5: (a) Except as provided in subsection (b), a charter may not be granted after the effective date of this**

section by the charter board or any other sponsor or authorizer for a charter school that will serve students who:

- (1) are at least twenty (20) years of age; and
- (2) have dropped out of high school before receiving a diploma.

(b) Charters may be granted by the mayor of Indianapolis before July 1, 2013, for not more than three (3) Christel House Academies that will serve students described in subsection (a):

SECTION 3. IC 20-24-3-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 18. (a) After June 30, 2014, before an authorizer may grant a charter to establish an adult high school, the organizer must have the proposal to establish the charter school:**

- (1) approved by the state board; and
- (2) reviewed by the budget committee.

(b) Upon receiving a request from an organizer to establish an adult high school under subsection (a), the state board shall either approve or deny the request. If the request is denied by the state board, an authorizer may not issue a charter for the adult high school.

SECTION 4. IC 20-24-4-1, AS AMENDED BY P.L.280-2013, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 1. (a) A charter must meet the following requirements:**

- (1) Be a written instrument.
- (2) Be executed by an authorizer and an organizer.
- (3) Confer certain rights, franchises, privileges, and obligations on a charter school.
- (4) Confirm the status of a charter school as a public school.
- (5) Be granted for:
 - (A) not less than three (3) years; and
 - (B) a fixed number of years agreed to by the authorizer and the organizer.
- (6) Provide for the following:

(A) A review by the authorizer of the charter school's performance, including the progress of the charter school in achieving the academic goals set forth in the charter, at least one (1) time in each five (5) year period while the charter is in effect.

(B) Renewal, if the authorizer and the organizer agree to renew the charter.

(C) The renewal application must include guidance from the authorizer, and the guidance must include the performance criteria that will guide the authorizer's renewal decisions.

(D) The renewal application process must, at a minimum, provide an opportunity for the charter school to:

- (i) present additional evidence, beyond the data contained in the performance report, supporting its case for charter renewal;
- (ii) describe improvements undertaken or planned for the charter school; and
- (iii) detail the charter school's plans for the next charter term.

- (E) Not later than October 1 in the year in which the charter school seeks renewal of a charter, the governing board of a charter school seeking renewal shall submit a renewal application to the charter authorizer under the renewal application guidance issued by the authorizer. The authorizer shall make a final ruling on the renewal application not later than March 1 after the filing of the renewal application. The March 1 deadline does not apply to any review or appeal of a final ruling. After the final ruling is issued, the charter school may obtain further review by the authorizer of the authorizer's final ruling in accordance with the terms of the charter school's charter and the protocols of the authorizer.
- (7) Specify the grounds for the authorizer to:
- (A) revoke the charter before the end of the term for which the charter is granted; or
 - (B) not renew a charter.
- (8) Set forth the methods by which the charter school will be held accountable for achieving the educational mission and goals of the charter school, including the following:
- (A) Evidence of improvement in:
 - (i) assessment measures, including the ISTEP and end of course assessments;
 - (ii) attendance rates;
 - (iii) graduation rates (if appropriate);
 - (iv) increased numbers of Core 40 diplomas and other college and career ready indicators including advanced placement participation and passage, dual credit participation and passage, and International Baccalaureate participation and passage (if appropriate);
 - (v) increased numbers of academic honors and technical honors diplomas (if appropriate);
 - (vi) student academic growth;
 - (vii) financial performance and stability; and
 - (viii) governing board performance and stewardship, including compliance with applicable laws, rules and regulations, and charter terms.
 - (B) Evidence of progress toward reaching the educational goals set by the organizer.
- (9) Describe the method to be used to monitor the charter school's:
- (A) compliance with applicable law; and
 - (B) performance in meeting targeted educational performance.
- (10) Specify that the authorizer and the organizer may amend the charter during the term of the charter by mutual consent and describe the process for amending the charter.
- (11) Describe specific operating requirements, including all the matters set forth in the application for the charter.
- (12) Specify a date when the charter school will:
- (A) begin school operations; and
 - (B) have students attending the charter school.
- (13) Specify that records of a charter school relating to the school's operation and charter are subject to inspection and copying to the same extent that records of a public school are subject to inspection and copying under IC 5-14-3.
- (14) Specify that records provided by the charter school to the department or authorizer that relate to compliance by the organizer with the terms of the charter or applicable state or federal laws are subject to inspection and copying in accordance with IC 5-14-3.
- (15) Specify that the charter school is subject to the requirements of IC 5-14-1.5.
- (16) This subdivision applies to a charter established or renewed for an adult high school after June 30, 2014. The charter must require:**
- (A) that the school will offer flexible scheduling;**
 - (B) that students will not complete the majority of instruction of the school's curriculum online or through an electronic medium;**
 - (C) that the school will offer dual credit or industry certification course work that aligns with career pathways as recommended by the Indiana career council established by IC 22-4.5-9-3; and**
 - (D) a plan:**
 - (i) to support successful program completion and to assist transition of graduates to the workforce or to a postsecondary education upon receiving a diploma from the adult high school; and**
 - (ii) to review individual student accomplishments and success after a student receives a diploma from the adult high school.**
- (b) A charter school shall set annual performance targets in conjunction with the charter school's authorizer. The annual performance targets shall be designed to help each school meet applicable federal, state, and authorizer expectations.
- SECTION 5. IC 20-24-4-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 4. (a) This section applies to the renewal of a charter for an adult high school after June 30, 2014. Before a charter for an adult high school may be renewed, the organizer must have the proposed charter:**
- (1) approved by the state board; and**
 - (2) reviewed by the budget committee.**
- (b) Upon receiving a request from an organizer to renew an adult high school charter under subsection (a), the state board shall either approve or deny the request. If the request is denied by the state board, an authorizer may not issue or renew a charter for the adult high school.**
- SECTION 6. IC 20-24-7-4, AS AMENDED BY P.L.205-2013, SECTION 231, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 4. (a) Services that a school corporation provides to a charter school, including transportation, may be provided at not more than one hundred three percent (103%) of the actual cost of the services.**
- (b) This subsection applies to an authorizer that is a state educational institution described in IC 20-24-1-2.5(2). **Except as provided in subsection (f),** in a state fiscal year, a state educational institution may receive from the organizer of a charter school authorized by the state educational institution an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year from basic tuition support (as defined in IC 20-43-1-8).

(c) This subsection applies to the executive of a consolidated city that authorizes a charter school. **Except as provided in subsection (f)**, in a state fiscal year, the executive may collect from the organizer of a charter school authorized by the executive an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support.

(d) This subsection applies to an authorizer that is a nonprofit college or university that is approved by the state board of education. **Except as provided in subsection (f)**, in a state fiscal year, a private college or university may collect from the organizer of a charter school authorized by the private college or university an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support.

(e) This subsection applies to the charter board. **Except as provided in subsection (f)**, in a state fiscal year, the charter school board may collect from the organizer of a charter school authorized by the charter board an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support.

(f) This subsection applies to an adult high school. An authorizer described in subsections (b) through (e) may collect an administrative fee equal to not more than three percent (3%) of the total state appropriation to the adult high school for a state fiscal year under section 13.5 of this chapter.

~~(g)~~ **(g)** An authorizer's administrative fee may not include any costs incurred in delivering services that a charter school may purchase at its discretion from the authorizer. The authorizer shall use its funding provided under this section exclusively for the purpose of fulfilling authorizing obligations.

~~(h)~~ **(h)** Except for oversight services, a charter school may not be required to purchase services from its authorizer as a condition of charter approval or of executing a charter contract, nor may any such condition be implied.

~~(i)~~ **(i)** A charter school may choose to purchase services from its authorizer. In that event, the charter school and authorizer shall execute an annual service contract, separate from the charter contract, stating the parties' mutual agreement concerning the services to be provided by the authorizer and any service fees to be charged to the charter school. An authorizer may not charge more than market rates for services provided to a charter school.

~~(j)~~ **(j)** Not later than ninety (90) days after the end of each fiscal year, each authorizer shall provide to each charter school it authorizes an itemized accounting of the actual costs of services purchased by the charter school from the authorizer. Any difference between the amount initially charged to the charter school and the actual cost shall be reconciled and paid to the owed party. If either party disputes the itemized accounting, any charges included in the accounting, or charges to either party, either party may request a review by the department. The requesting party shall pay the costs of the review.

SECTION 7. IC 20-24-7-13.5, AS ADDED BY P.L.205-2013, SECTION 235, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 13.5. (a) This section applies to the following charter schools:

(1) The Excel Centers for Adult Learners that is located in Indianapolis, is sponsored or authorized by the mayor of Indianapolis, and that is operating as of May 1, 2013.

(2) The Anderson Excel Center that is sponsored or authorized by the charter board and that is operating as of May 1, 2013.

(3) The Christel House Academy DOR center that is located in Indianapolis, is sponsored or authorized by the mayor of Indianapolis, and that is operating as of May 1, 2013.

(4) The Excel Centers for Adult Learners located in Kokomo, Lafayette, and Richmond that are sponsored or authorized by the charter board and that are scheduled to begin operating not later than fall 2013, and the Excel Center for Adult Learners located in Indianapolis (Lafayette Square) that is sponsored or authorized by the mayor of Indianapolis and that is scheduled to begin operating not later than fall 2013.

(5) The Gary Middle College charter school that is sponsored or authorized by Ball State University, that includes students who are twenty-two (22) years of age and older, and that is operating as of May 1, 2013.

(b) Notwithstanding any other law, for state fiscal years beginning after June 30, 2013, a charter school described in subsection (a) is entitled to receive funding from the state in an amount equal to the product of:

(1) the charter school's number of students (expressed as full-time equivalents); multiplied by

(2) six thousand six hundred dollars (\$6,600).

However, in the case of the charter school described in subsection (a)(5), the funding under this section applies only for those students who are twenty-two (22) years of age and older.

(c) A charter school described in subsection (a) is entitled to receive federal special education funding.

~~(d) A charter school that is granted a charter as described in IC 20-24-2-1-5(b) is not~~ **A Christel House Academy that, before July 1, 2013, was granted a charter by the mayor of Indianapolis to establish an adult high school may be entitled to state funding after June 30, 2015, if the adult high school was not in operation on May 1, 2013.**

(e) The state funding under this section shall be paid each state fiscal year under a schedule set by the budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12) payments, that one (1) payment shall be made at least every forty (40) days, and the aggregate of the payments in each state fiscal year shall equal the amount required under this section. However, if the appropriations for this purpose are insufficient, the distributions to each recipient shall be reduced proportionately.

SECTION 8. IC 20-24-7-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 14. Except as provided in section 13.5 of this chapter, notwithstanding any other law, for state fiscal years beginning after June 30, 2014, an adult high school is not entitled to receive funding from the state, including any tuition support, unless the general assembly enacts an appropriation for the adult high school.**

SECTION 9. IC 20-31-8-5.2, AS ADDED BY SEA 24-2014, SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5.2. (a) The state board shall establish an alternative accountability system to assess the performance of **an adult high school, a charter school that is sponsored by the Indiana charter school board established by IC 20-24-2.1-1 and designated as a recovery school or an accelerated learning center. The system must:**

- (1) establish rigorous academic outcomes criteria;
- (2) measure college and career readiness outcomes for each graduate;
- (3) measure student accomplishments and success after graduation for a period of time as determined by the state board; and
- (4) require that a substantial majority of graduates who receive waiver diplomas must also be on track to receive or have already received an industry certification that aligns with career pathways as recommended by the Indiana career council established by IC 22-4.5-9-3.

(b) **An adult high school is subject to the alternative accountability system developed by the state board under subsection (a)."**

(Reference is to HB 1028 as printed January 27, 2014.) and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1052, 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 Appropriations, to which was referred Engrossed House Bill 1062, 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 7 through 16.

Page 2, delete lines 1 through 2, begin a new line block indented and insert:

- "(1) fifteen percent (15%) of the budget estimate for the debt service fund for the ensuing year for debt originally incurred after June 30, 2014; plus**
- (2) fifty percent (50%) of the budget estimate for the debt service fund for the ensuing year for debt originally incurred before July 1, 2014.**

If debt is refinanced, the date the refinanced debt was originally incurred, and not the date that the refinancing is closed, is the date to be used for purposes of this subsection."

Page 2, delete lines 9 through 16, begin a new paragraph and insert:

"SECTION 2. IC 6-1.1-20.6-9.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9.9. (a) A school corporation is eligible to allocate credits proportionately under this section for 2014, 2015, or 2016, if the school corporation's percentage computed under this subsection is at least ten percent (10%) for its transportation fund levy for that year, as certified by the department of local government finance. A school corporation shall compute its percentage under this subsection as follows:

- (1) Compute the amount of credits granted under this chapter against the school corporation's levy for the school corporation's transportation fund.
- (2) Compute the school corporation's levy for the school corporation's transportation fund.
- (3) Divide the amount computed under subdivision (1) by the amount computed under subdivision (2) and express it as a percentage.

The computation must be made by taking into account the requirements of section 9.8 of this chapter regarding protected taxes and the impact of credits granted under this chapter on the revenue to be distributed to the school corporation's transportation fund for the particular year.

(b) A school corporation that desires to be an eligible school corporation under this section must, before May 1 of the year for which it wants a determination, submit a written request for a certification by the department of local government finance that the computation of the school corporation's percentage under subsection (a) is correct. The department of local government finance shall, not later than June 1 of that year, determine whether the percentage computed by the school corporation is accurate and certify whether the school corporation is eligible under this section.

(c) For a school corporation that is certified as eligible under this section, the school corporation may allocate the effect of the credits granted under this chapter proportionately among all the school corporation's property tax funds that are not exempt under section 7.5(b) or 7.5(c) of this chapter, based on the levy for each fund and without taking into account the requirements of section 9.8 of this chapter regarding protected taxes."

Renumber all SECTIONS consecutively.

(Reference is to HB 1062 as printed January 27, 2014.) and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1064, 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 1, delete "ADDED BY P.L.60-2013," and insert "AMENDED BY SEA 24-2014,".

Page 1, line 2, delete "1," and insert "101,".

(Reference is to HB 1064 as reprinted January 24, 2014.) and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1074, 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 and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 8, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1075, 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 2, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 2. IC 5-10.5-4-1, AS ADDED BY P.L.177-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The board shall do all of the following:

- (1) Appoint and fix the salary of a director.
- (2) Employ or contract with employees, auditors, technical experts, legal counsel, and other service providers as the board considers necessary to transact the business of the fund without the approval of any state officer, and fix the compensation of those persons.
- (3) Establish a general office in Indianapolis for board meetings and for administrative personnel.
- (4) Provide for the installation in the general office of a complete system of:
 - (A) books;
 - (B) accounts, including reserve accounts; and
 - (C) records;

to give effect to all the requirements of this article and to ensure the proper operation of the fund.

(5) Provide for a report at least annually to each member of the amount credited to the member in the annuity savings account in each investment program under IC 5-10.2-2.

(6) With the advice of the actuary, adopt actuarial tables and compile data needed for actuarial studies that are necessary for the fund's operation.

(7) Act on applications for benefits and claims of error filed by members.

(8) Provide to retiring and retired members the option of converting the amount credited to the member's annuity savings account into an annuity that is administered and managed by the fund's employees.

~~(8)~~ (9) Have the accounts of the fund audited annually by the state board of accounts, and if the board determines that it is advisable, have the operation of a public pension or retirement fund of the system audited by a certified public accountant.

~~(9)~~ (10) Publish for the members a synopsis of the fund's condition.

~~(10)~~ (11) Adopt a budget on a calendar year or fiscal year basis that is sufficient, as determined by the board, to perform the board's duties and, as appropriate and reasonable, draw upon fund assets to fund the budget.

~~(11)~~ (12) Expend money, including income from the fund's investments, for effectuating the fund's purposes.

~~(12)~~ (13) Establish personnel programs and policies for the employees of the system.

~~(13)~~ (14) Submit a financial report before November 1 each year to the governor, the pension management oversight commission, and the budget committee. The report under this subdivision must set forth a complete operating and financial statement covering its operations during the most recent fiscal year, and include any other information requested by the chair of the pension management oversight commission. The report must be submitted to the pension management oversight commission in an electronic format pursuant to IC 5-14-6.

~~(14)~~ (15) Provide the necessary forms for administering the fund.

~~(15)~~ (16) Submit to the auditor of state or the treasurer of state vouchers or reports necessary to claim an amount due from the state to the system.

SECTION 3. IC 5-10.5-4-2, AS ADDED BY P.L.23-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The board may do any of the following:

(1) Establish and amend rules and regulations:

(A) for the administration and regulation of the fund and the board's affairs; and

(B) to effectuate the powers and purposes of the board; without adopting a rule under IC 4-22-2.

(2) Make contracts and sue and be sued as the board of trustees of the Indiana public retirement system.

(3) Delegate duties to its employees.

(4) Enter into agreements with one (1) or more insurance companies to provide life, hospitalization, surgical, medical, dental, vision, long term care, or supplemental Medicare insurance, utilizing individual or group insurance policies for retired members of the fund, and, upon authorization of the respective member, deduct premium payments for such policies from the members' retirement benefits and remit the payments to the insurance companies.

(5) Enter into agreements with one (+) or more insurance companies to provide annuities for retired members of the fund; and, upon a member's authorization, transfer the amount credited to the member in the annuity savings account to the insurance companies.

(6) (5) For the 1977 police officers' and firefighters' pension and disability fund, deduct from benefits paid and remit to the appropriate entities amounts authorized by IC 36-8-8-17.2.

(7) (6) Whenever the fund's membership is sufficiently large for actuarial valuation, establish an employer's contribution rate for all employers, including employers with special benefit provisions for certain employees.

(8) (7) Amortize prior service liability over a period of forty (40) years or less.

(9) (8) Recover payments made under false or fraudulent representation.

(10) (9) Give bond for an employee for the fund's protection.

(11) (10) Receive the state's share of the cost of the pension contribution from the federal government for a member on leave of absence in order to work in a federally supported educational project.

(12) (11) Summon and examine witnesses when adjusting claims.

(13) (12) When adjusting disability claims, require medical examinations by doctors approved or appointed by the board. Not more than two (2) examinations may be conducted in one (1) year.

(14) (13) Conduct investigations to help determine the merit of a claim.

(15) (14) Meet an emergency that may arise in the administration of the board's trust.

(16) (15) Determine other matters regarding the board's trust that are not specified.

(17) (16) Exercise all powers necessary, convenient, or appropriate to carry out and effectuate its public and corporate purposes and to conduct its business.

(b) This subsection does not apply to investments of the board. A contract under subsection (a)(2) may be for a term of not more than five (5) years, with an ability to renew thereafter.

(c) An agreement under subsection (a)(4) may be for a duration of three (3) years."

Page 2, line 15, after "not" delete ", before October 1, 2019,".

Page 2, line 23, delete "not later than October 1, 2014, for the first year, and not".

Page 2, delete line 24.

Page 2, line 25, delete "2015," and insert "**on April 1 and October 1 each year, beginning on October 1, 2014,**".

Page 2, run in lines 23 through 25.

Page 2, line 32, delete "may not be" and insert "**is equal to the current interest rate on ten (10) year United States Treasury notes plus one and one-half percent (1.5%).**".

Page 2, delete lines 33 through 42.

Page 3, delete lines 1 through 10.

Renumber all SECTIONS consecutively.

(Reference is to HB 1075 as reprinted January 30, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1076, 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.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1099, 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 9, reset in roman ".".

Page 2, line 2, after "occupied by" insert ":

(A) "

Page 2, line 3, delete "." and insert "; or"

(B) **a police station of the municipality.**"

(Reference is to HB 1099 Printer's Error as reprinted January 30, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1121, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-2-7-3, AS AMENDED BY P.L.126-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The inspector general shall do the following:

(1) Initiate, supervise, and coordinate investigations.

(2) Recommend policies and carry out other activities designed to deter, detect, and eradicate fraud, waste, abuse, mismanagement, and misconduct in state government.

(3) Receive complaints alleging the following:

(A) A violation of the code of ethics.

(B) Bribery (IC 35-44.1-1-2).

(C) Official misconduct (IC 35-44.1-1-1).

(D) Conflict of interest (IC 35-44.1-1-4).

(E) Profiteering from public service (IC 35-44.1-1-5).

- (F) A violation of the executive branch lobbying rules.
- (G) A violation of a statute or rule relating to the purchase of goods or services by a current or former employee, state officer, special state appointee, lobbyist, or person who has a business relationship with an agency.
- (4) If the inspector general has reasonable cause to believe that a crime has occurred or is occurring, report the suspected crime to:
- (A) the governor; and
 - (B) appropriate state or federal law enforcement agencies and prosecuting authorities having jurisdiction over the matter.
- (5) Adopt rules under IC 4-22-2 to implement IC 4-2-6 and this chapter.
- (6) Adopt rules under IC 4-22-2 and section 5 of this chapter to implement a code of ethics.
- (7) Ensure that every:
- (A) employee;
 - (B) state officer;
 - (C) special state appointee; and
 - (D) person who has a business relationship with an agency;
- is properly trained in the code of ethics.
- (8) Provide advice to an agency on developing, implementing, and enforcing policies and procedures to prevent or reduce the risk of fraudulent or wrongful acts within the agency.
- (9) Recommend legislation to the governor and general assembly to strengthen public integrity laws, including the code of ethics for state officers, employees, special state appointees, and persons who have a business relationship with an agency, including whether additional specific state officers, employees, or special state appointees should be required to file a financial disclosure statement under IC 4-2-6-8.
- (10) Annually submit a report to the legislative council detailing the inspector general's activities. The report must be in an electronic format under IC 5-14-6.
- (11) Prescribe and provide forms for statements required to be filed under IC 4-2-6 or this chapter.
- (12) Accept and file information that:
- (A) is voluntarily supplied; and
 - (B) exceeds the requirements of this chapter.
- (13) Inspect financial disclosure forms.
- (14) Notify persons who fail to file forms required under IC 4-2-6 or this chapter.
- (15) Develop a filing, a coding, and an indexing system required by IC 4-2-6 and IC 35-44.1-1.
- (16) Prepare interpretive and educational materials and programs.
- (17) Adopt rules under IC 4-22-2 and section 9 of this chapter to implement a statewide code of judicial conduct for administrative law judges. The inspector general may adopt emergency rules in the manner provided under IC 4-22-2-37.1 to implement a statewide code of judicial conduct for administrative law judges.**

SECTION 2. IC 4-2-7-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9. (a) The inspector general shall adopt rules under IC 4-22-2 establishing a statewide code of judicial conduct for administrative law judges. The statewide code of judicial conduct for administrative law judges must apply to every person acting as an administrative law judge for a state agency.**

(b) The inspector general:

- (1) shall review 312 IAC 3-1-2.5 and 315 IAC 1-1-2 in adopting a statewide code of judicial conduct for administrative law judges; and**
- (2) may base the statewide code of judicial conduct for administrative law judges on 312 IAC 3-1-2.5 and 315 IAC 1-1-2.**

(c) A state agency may adopt rules under IC 4-22-2 to establish a supplemental code of judicial conduct for a person acting as an administrative law judge for that agency, if the supplemental code is at least as restrictive as the statewide code of judicial conduct for administrative law judges.

(d) The inspector general may adopt emergency rules in the manner provided under IC 4-22-2-37.1 to implement a statewide code of judicial conduct for administrative law judges."

Page 1, delete lines 12 through 14.

Page 1, line 15, delete "(c)" and insert "**(b)**".

Page 1, after line 16, begin a new paragraph and insert:

"(c) An agency shall post on the agency's Internet web site the:

- (1) name;**
- (2) salary and other remuneration; and**
- (3) relevant professional experience;**

of every person who serves as an administrative law judge for the agency."

Page 2, delete lines 1 through 42, begin a new paragraph and insert the following:

"SECTION 4. IC 4-21.5-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 9. (a) Except to the extent that a statute other than this article limits an agency's discretion to select an administrative law judge, the ultimate authority for an agency may:**

- (1) act as an administrative law judge;**
- (2) designate one (1) or more members of the ultimate authority (if the ultimate authority is a panel of individuals) to act as an administrative law judge; or**
- (3) designate one (1) or more: ~~other individuals~~**
 - (A) attorneys licensed to practice law in Indiana; or**
 - (B) persons who served as administrative law judges for a state agency before January 1, 2014;**

not necessarily employees of the agency; to act as an administrative law judge.

A person designated under subdivision (3) is not required to be an employee of the agency. A designation under subdivision (2) or (3) may be made in advance of the commencement of any particular proceeding for a generally described class of proceedings or may be made for a particular proceeding. A

general designation may provide procedures for the assignment of designated individuals to particular proceedings.

(b) An agency may not knowingly assign an individual to serve alone or with others as an administrative law judge who is subject to disqualification under this chapter.

(c) If the judge believes that the judge's impartiality might reasonably be questioned, or believes that the judge's personal bias, prejudice, or knowledge of a disputed evidentiary fact might influence the decision, an individual assigned to serve alone or with others as an administrative law judge shall:

- (1) withdraw as the administrative law judge; or
- (2) inform the parties of the potential basis for disqualification, place a brief statement of this basis on the record of the proceeding, and allow the parties an opportunity to petition for disqualification under subsection (d).

(d) Any party to a proceeding may petition for the disqualification of an individual serving alone or with others as an administrative law judge upon discovering facts establishing grounds for disqualification under this chapter. The administrative law judge assigned to the proceeding shall determine whether to grant the petition, stating facts and reasons for the determination. If the administrative law judge ruling on the disqualification issue is not the ultimate authority for the agency, the party petitioning for disqualification may petition the ultimate authority in writing for review of the ruling within ten (10) days after notice of the ruling is served. The ultimate authority shall conduct proceedings described by section 28 of this chapter to review the petition and affirm, modify, or dissolve the ruling within thirty (30) days after the petition is filed. A determination by the ultimate authority under this subsection is a final order subject to judicial review under IC 4-21.5-5.

(e) If a substitute is required for an administrative law judge who is disqualified or becomes unavailable for any other reason, the substitute must be appointed in accordance with subsection (a).

(f) Any action taken by a duly appointed substitute for a disqualified or unavailable administrative law judge is as effective as if taken by the latter.

(g) If there is a reasonable likelihood that the ultimate authority will be called upon to:

- (1) review; or
- (2) issue a final order with respect to;

a matter pending before or adjudicated by an administrative law judge, the provisions of section 11 of this chapter that apply to an administrative law judge or to a person communicating with an administrative law judge apply to a member of the ultimate authority and to a person communicating with a member of the ultimate authority."

Page 3, delete lines 1 through 22.

Page 4, delete lines 13 through 19.

Page 5, delete lines 10 through 16.

Page 6, after line 16, begin a new paragraph and insert:
"SECTION 10. An emergency is declared for this act."
 Renumber all SECTIONS consecutively.

(Reference is to HB 1121 as reprinted January 17, 2014.)
 and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1126, 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 12, delete "failure" and insert **"person, firm, corporation, limited liability company, or association that failed"**.

Page 1, line 13, delete "in bad faith," and insert **"not acting in good faith,"**.

Page 1, line 14, delete "may:" and insert **"shall:"**.

Page 2, line 3, after "unpaid" delete ";" and insert **", with the total amount awarded under this subdivision not to exceed double the amount of wages due to the employee;"**.

Page 2, line 5, after "attorney" delete ";" and insert ".".

Page 2, delete lines 6 through 12.

Page 3, line 31, delete ":".

Page 3, line 32, delete "(A)".

Page 3, line 32, after "purchase" delete ";" or".

Page 3, delete line 33.

Page 3, run in lines 32 through 34.

Page 3, line 36, after "exceed" insert **"the lesser of: (A)"**.

Page 3, line 36, after "year" delete "." and insert **"; or (B) the amount limits set forth in section 4(c) of this chapter."**

Page 3, line 37, after "training." insert **"However, an employer may not require, as a condition of employment, that an employee pay or reimburse the employer for training that is specific to the employee's job with the employer."**

Page 3, after line 41, begin a new paragraph and insert:

"(c) The interest rate charged on amounts loaned or advanced to an employee and repaid under subsection (b) may not exceed the bank prime loan interest rate as reported by the Board of Governors of the Federal Reserve System or any successor rate, plus four percent (4%)."

(Reference is to HB1126 as reprinted January 22, 2014.)
 and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 3.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1140, 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 4, line 22, delete "agent" and insert **"officer"**.

Page 4, line 27, delete "agent" and insert **"officer"**.

(Reference is to HB 1140 as printed January 17, 2014.)
and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1171, 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 5, line 11, after "if" insert ":

(1)".

Page 5, line 13, beginning with "(1)" begin a new line double block indented.

Page 5, line 13, delete "(1)" and insert "**(A)**".

Page 5, line 15, beginning with "(2)" begin a new line double block indented.

Page 5, line 15, delete "(2)" and insert "**(B)**".

Page 5, line 18, beginning with "(3)" begin a new line double block indented.

Page 5, line 18, delete "(3)" and insert "**(C)**".

Page 5, line 22, beginning with "(4)" begin a new line double block indented.

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

Page 5, line 25, delete "." and insert "; **and**

(2) the county fiscal body adopts an ordinance approving the recorder's request under subsection (c).".

(Reference is to HB 1171 as printed January 28, 2014.)
and when so amended that said bill do pass.
Committee Vote: Yeas 5, Nays 4.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Economic Development and Technology, to which was referred Engrossed House Bill 1198, 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 2, line 29, delete "IC 6-8.1-3-22" and insert "IC 6-8.1-3-23".

Page 2, line 31, delete "22." and insert "**23**".

Page 2, line 37, delete "a state agency" and insert "**the department**".

Page 2, line 40, delete "a state agency" and insert "**the department**".

Page 2, line 42, delete "a" and insert "**the department**".

Page 3, line 1, delete "state agency".

Page 3, line 4, delete "IC 22-4.1-4-6" and insert "IC 22-4.1-4-7".

Page 3, line 6, delete "6." and insert "**7**".

Page 3, line 12, delete "a state agency" and insert "**the department**".

Page 3, line 15, delete "a state agency" and insert "**the department**".

Page 3, line 17, delete "a" and insert "**the department**".

Page 3, line 18, delete "state agency".

(Reference is to HB 1198 as printed January 24, 2014.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1216, 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 16, begin a new paragraph and insert:

"SECTION 1. IC 36-7-4-1015, AS AMENDED BY P.L.126-2011, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1015. (a) As a condition to the:

- (1) adoption of a rezoning proposal;
- (2) primary approval of a proposed subdivision plat or development plan;
- (3) approval of a vacation of all or part of the plat; or
- (4) approval of an application for a:
 - (A) special exception;
 - (B) special use;
 - (C) contingent use;
 - (D) conditional use; or
 - (E) variance;

the owner of a parcel of real property may be required or allowed to make a commitment ~~to the plan commission or board of zoning appeals, as applicable~~, concerning the use or development of that parcel.

(b) Commitments are subject to the following provisions:

- (1) A commitment must be in writing.
- (2) Unless the written commitment is modified or terminated in accordance with this subsection, a written commitment is binding on the owner of the parcel.
- (3) A commitment shall be recorded in the office of the county recorder. After a commitment is recorded, it is binding on a subsequent owner or any other person who acquires an interest in the parcel. However, a commitment is binding on the owner who makes the commitment even if the commitment is unrecorded. An unrecorded commitment is binding on a subsequent owner or other person acquiring an interest in the parcel only if that subsequent owner or other person has actual notice of the commitment.
- (4) A commitment may contain terms providing for its own expiration. A commitment may also contain terms providing that the commitment automatically terminates:
 - (A) if the zoning district or classification applicable to the parcel is changed;

(B) if the land use to which the commitment relates is changed; or

(C) otherwise in accordance with the rules of the plan commission, ~~or~~ board of zoning appeals, **or legislative body** to which the commitment is made.

(5) Except for a commitment that expires or automatically terminates under subdivision (4), **or except as provided in subdivision (10)**, a commitment may be modified or terminated:

(A) ~~only~~ by a decision of the plan commission or board of zoning appeals to which the commitment was made; **or**

(B) by the decision of the legislative body, if the commitment is made as part of a rezoning proposal being considered by the legislative body under the 600 or 1500 series of this chapter.

The A decision by a plan commission or board of zoning appeals must be made at a public hearing after notice of the hearing has been provided under the rules of the plan commission or board of zoning appeals, as the case may be.

(6) During the time a rezoning proposal is being considered by the legislative body under the 600 or 1500 series of this chapter, the owner may make a new commitment to the ~~plan commission~~ **legislative body** or modify the terms of a commitment that was made when the proposal was being considered by the plan commission. **This subdivision does not apply to a commitment to which subdivision (10) applies.**

(7) No further action of the plan commission is required for ~~a new commitment made an action taken by the~~ **legislative body** under subdivision (6) to be effective.

(8) If a commitment is modified under subdivision (6) **or (10)**:

(A) no further action is required by the plan commission for the commitment to be effective if the effect of the modification is to make the commitment more stringent; **or**

(B) the modified commitment must be ratified by the plan commission if the effect of the modification is to make the commitment less stringent.

(9) Requiring or allowing a commitment to be made does not obligate the plan commission, board of zoning appeals, or legislative body, as applicable, to adopt, approve, or favorably recommend the proposal or application to which the commitment relates.

(10) This subdivision applies only to a commitment that is made before the parcel subject to the commitment is annexed by a municipality. Subject to subdivision (8), a commitment may be modified or terminated only by a decision of the legislative body of the annexing municipality. The decision must be made by the legislative body of the annexing municipality after considering the recommendation of the municipal plan commission certified to the legislative body after a public hearing held by the plan commission in accordance with the commission's rules. The rules of the municipal plan commission must include a provision requiring notice to be sent by certified mail at least ten

(10) days before the date of the hearing to the following:

(A) The plan commission to which the commitment was made.

(B) Each owner of real property, as shown on the county auditor's current tax list, whose real property is located within three hundred (300) feet of the parcel subject to the commitment.

(c) The plan commission or board of zoning appeals may adopt rules:

(1) governing the creation, form, recording, effectiveness, modification, and termination of commitments **that are made before the plan commission or board of zoning appeals;** and

(2) designating which specially affected persons and classes of specially affected persons are entitled to enforce commitments.

(d) An action to enforce a commitment may be brought in the circuit or superior court of the county by:

(1) the plan commission, ~~or the~~ board of zoning appeals, ~~to~~ **or the legislative body before** which the commitment was made;

(2) in the case of a commitment:

(A) modified under subsection (b)(10); or

(B) continued in effect upon annexation;

the legislative body of a municipality that annexed the real property subject to the commitment, if the annexation is effective after the date the commitment was made;

~~(3)~~ **(3)** any person who was entitled to enforce a commitment under the rules of the plan commission or board of zoning appeals in force at the time the commitment was made; **or**

~~(4)~~ **(4)** any other specially affected person who was designated in the commitment.

(e) A person bringing an action to enforce a commitment may request mandatory or prohibitory injunctive relief through the granting of a temporary restraining order, preliminary injunction, or permanent injunction. If an action to enforce a commitment is successful, the respondent shall bear the costs of the action. A change of venue from the county may not be granted in such an action.

(f) In an action to enforce a commitment, it is not a defense that:

(1) no consideration was given for the commitment;

(2) the commitment does not benefit any designated parcel of property;

(3) the document setting forth the commitment lacks a seal;

(4) there is no privity of estate;

(5) there is not privity of contract; **or**

(6) there is no proof of damages.

(g) The following types of conditions, as authorized by this chapter, are not considered commitments and are not subject to subsection (b):

(1) A condition imposed upon primary approval of a plat that must be met before secondary approval of the plat may be granted under the 700 series of this chapter.

(2) A condition imposed upon the approval of an exception, a use, a variance, or a development plan that must be met before an improvement location permit may be issued under the 800 series of this chapter.

(3) A condition imposed upon an approval relative to any other development requirement that must be met before any other secondary approval may be granted or building permit may be issued under this chapter.

(4) A condition that was imposed before July 1, 2011, on an approval relative to any development requirement. However, this subdivision applies only if a copy of the condition has been filed and permanently maintained as a public record in the office of the plan commission or board of zoning appeals that imposed the condition.

(h) Covenants, easements, equitable servitudes, and other land use restrictions created in accordance with law are not considered commitments and are not subject to subsection (b).

(i) This subsection applies only to a commitment made as part of a rezoning proposal being considered by the legislative body under the 600 or 1500 series of this chapter. A written commitment may not abrogate the authority of a legislative body to modify or terminate a commitment under this section."

Delete pages 2 through 4.

Page 5, delete lines 1 through 2.

Page 5, line 28, delete "a decision" and insert "**decisions**".

Page 5, line 29, after "section" insert "**1015(b)(6) or**".

Page 5, line 29, delete "is" and insert "**are**".

Page 5, line 29, delete "a".

Page 5, line 30, delete "decision" and insert "**decisions**".

Page 5, line 30, delete "is" and insert "**are**".

Page 6, line 18, after "section" insert "**1015(b)(6) or**".

Page 6, delete lines 19 through 42.

Delete page 7.

(Reference is to HB 1216 as printed January 28, 2014.)
and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 4.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1233, 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 1.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1234, 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 16.

Delete pages 2 through 3.

Page 4, delete lines 1 through 26, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-12-26, AS AMENDED BY P.L.113-2010, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 26. (a) ~~The~~ **If an** owner of real property, or a mobile home ~~which that~~ is not assessed as real property, ~~which~~ **installs a solar energy heating or cooling system after December 31, 2014, and the property** is equipped with ~~a the~~ solar energy heating or cooling system **on the assessment date, the owner (or in the case of residential property the owner that installed the system)** may have deducted annually from the assessed value of the real property or mobile home an amount which is equal to the out-of-pocket expenditures by the owner (or a previous owner, **except in the case of residential property**) of the real property or mobile home for:

(1) the components; and

(2) the labor involved in installing the components;

that are unique to the system and that are needed to collect, store, or distribute solar energy.

(b) The tangible property to which subsection (a) applies includes a solar thermal air system and any solar energy heating or cooling system used for:

(1) domestic hot water or space heat, or both, including pool heating; or

(2) preheating for an industrial process.

(c) Subsection (a) does not apply to tangible property that would not be subject to assessment and taxation under this article if this section did not apply.

(d) For purposes of subsection (a), proof of out-of-pocket expenditures may be demonstrated by invoices or other evidence of a purchase and installation, as determined under rules or guidelines prescribed by the department of local government finance.

SECTION 2. IC 6-1.1-12-29, AS AMENDED BY P.L.46-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 29. (a) This section does not apply to a wind power device that is owned or operated by:

(1) a public utility (as defined in IC 8-1-2-1(a)); or

(2) another entity that provides electricity at wholesale or retail for consideration, other than a person who participates in a net metering program offered by an electric utility.

This subsection shall be interpreted to clarify and not to change the general assembly's intent with respect to this section.

(b) For purposes of this section, "wind power device" means a device, such as a windmill or a wind turbine, that is designed to utilize the kinetic energy of moving air to provide mechanical energy or to produce electricity.

(c) ~~The~~ **If an** owner of real property, or a mobile home that is not assessed as real property, ~~that~~ **installs a wind power device after December 31, 2014, and the property** is equipped with a

the wind power device **on the assessment date, the owner (or in the case of residential property the owner that installed the device)** is entitled to an annual property tax deduction. The amount of the deduction equals the remainder of:

- (1) the assessed value of the real property or mobile home with the wind power device included; minus
- (2) the assessed value of the real property or mobile home without the wind power device.

SECTION 3. IC 6-1.1-12-33, AS AMENDED BY P.L.144-2008, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 33. (a) For purposes of this section "hydroelectric power device" means a device which is installed after December 31, 1981, and is designed to utilize the kinetic power of moving water to provide mechanical energy or to produce electricity.

(b) ~~The~~ **If an owner of real property, or a mobile home that is not assessed as real property, that installs a hydroelectric power device after December 31, 2014, and the property is equipped with a the hydroelectric power device on the assessment date, the owner (or in the case of residential property the owner that installed the device)** is annually entitled to a property tax deduction. The amount of the deduction equals the remainder of:

- (1) the assessed value of the real property or mobile home with the hydroelectric power device; minus
- (2) the assessed value of the real property or mobile home without the hydroelectric power device.

(c) The deduction provided by this section applies only if the property owner:

- (1) owns the real property or mobile home; or
- (2) is buying the real property or mobile home under contract;

on the date the statement is filed under section 35.5 of this chapter.

SECTION 4. IC 6-1.1-12-34, AS AMENDED BY P.L.144-2008, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 34. (a) For purposes of this section, "geothermal energy heating or cooling device" means a device that is installed after December 31, 1981, and is designed to utilize the natural heat from the earth to provide hot water, produce electricity, or generate heating or cooling.

(b) ~~The~~ **If an owner of real property, or a mobile home that is not assessed as real property, that installs a geothermal energy heating or cooling device after December 31, 2014, and the property is equipped with a the geothermal energy heating or cooling device on the assessment date, the owner (or in the case of residential property the owner that installed the device)** is annually entitled to a property tax deduction. The amount of the deduction equals the remainder of: (1) the assessed value of the real property or mobile home with the geothermal heating or cooling device; minus (2) the assessed value of the real property or mobile home without the geothermal heating or cooling device.

(c) The deduction provided by this section applies only if the property owner:

- (1) owns the real property or mobile home; or

(2) is buying the real property or mobile home under contract;
on the date the statement is filed under section 35.5 of this chapter."

Page 16, delete lines 23 through 42.

Delete pages 17 through 30.

Renumber all SECTIONS consecutively.

(Reference is to HB 1234 as reprinted January 31, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Financial Institutions, to which was referred Engrossed House Bill 1235, 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.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Financial Institutions, to which was referred Engrossed House Bill 1245, 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 2, line 1, delete "EFFECTIVEJULY" and insert "[EFFECTIVE JULY".

Page 29, line 20, after "dollar" insert "dollars".

Page 29, line 20, after "(\$300)" delete "dollars".

Page 39, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 21. IC 24-7-8-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 6. (a) Subject to subsection (b), a lessor required to file notification and pay fees under this chapter may conduct other business, including offering for sale to members of the general public:**

(1) property and services that were or may be the subject of a rental purchase agreement under this article; and

(2) property or services that are unrelated or only partially or indirectly related to the lessor's rental purchase agreement business;

at the location where the lessor enters into rental purchase agreements with lessees unless the lessor carries on other business for the purpose of evasion or circumvention of this article.

(b) A lessor may offer for sale to a lessee or prospective lessees the property or services described in subsection (a) at the location where the lessor enters into rental purchase

agreements as provided under subsection (a) only if all the following conditions are met:

(1) The lessor:

(A) does not require that the lessee or prospective lessee purchase the property or services as a condition to entering into a rental purchase agreement;

(B) does not require that any purchaser or prospective purchaser of the property or services enter into a rental purchase agreement as a condition to purchasing the property or services; and

(C) clearly discloses in writing to the lessee or prospective lessee before the purchase is completed that:

(i) the purchase of the property or services is not a condition to entering into a rental purchase agreement; and

(ii) entering into a rental purchase agreement is not a condition to purchasing the property or services.

(2) The lessor does not charge the lessee or prospective lessee more for the property or services than the lessor charges members of the general public for the property or services.

(3) The transaction for the purchase of the property or services is conducted separately from any rental purchase agreement, and the cost for purchasing the property or services is not made a part of any rental purchase agreement.

(c) If a lessor offers for sale the property or services described in subsection (a) to lessees or prospective lessees in compliance with the conditions set forth in subsection (b), the business is not considered as being conducted for the purpose of evasion or circumvention of this article.

(d) This section does not relieve a lessor from:

(1) obtaining licenses, permits, authorizations, or consents required by law;

(2) filing or providing notifications as required by law; or

(3) otherwise complying with any other statute, rule, regulation, or ordinance of:

(A) this state;

(B) the United States; or

(C) any governmental unit of this state or the United States;

applicable to a lessor or the lessor's business activities permitted by this section."

Renumber all SECTIONS consecutively.

(Reference is to HB 1245 as printed January 24, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1269,

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 2, line 2, delete "nonsuspendible offense." and insert "**felony whenever any part of the sentence may not be suspended under IC 35-50-2-2.1 or IC 35-50-2-2.2.**".

Page 2, strike lines 37 through 42.

Page 3, strike lines 1 through 26.

Page 3, line 27, strike "(P)" and insert "**(K)**".

Page 3, line 28, strike "(Q)" and insert "**(L)**".

Page 3, delete lines 31 through 42.

Delete page 4.

(Reference is to HB 1269 as printed January 24, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1279, 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 4 through 14 with "[EFFECTIVE JANUARY 1, 2015]".

Replace the effective dates in SECTIONS 16 through 69 with "[EFFECTIVE JANUARY 1, 2015]".

Replace the effective dates in SECTIONS 71 through 185 with "[EFFECTIVE JANUARY 1, 2015]".

Replace the effective dates in SECTIONS 187 through 194 with "[EFFECTIVE JANUARY 1, 2015]".

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

"SECTION 1. IC 1-1-5.5-22 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 22. (a) A SECTION of HEA 1279-2014 does not affect:**

(1) penalties incurred;

(2) crimes committed; or

(3) proceedings begun;

before the effective date of that SECTION of HEA 1279-2014. Those penalties, crimes, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of HEA 1279-2014 had not been enacted.

(b) The general assembly does not intend the doctrine of amelioration (see *Vicory v. State*, 400 N.E.2d 1380 (Ind. 1980)) to apply to any SECTION of HEA 1279-2014."

Page 77, line 10, delete "A suspension of".

Page 77, delete line 11.

Renumber all SECTIONS consecutively.

(Reference is to HB 1279 as reprinted January 31, 2014.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 10, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1306, 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 7, between lines 41 and 42, begin a new line block indented and insert:

"(5) A copy of a public record that is made with a cellular telephone:

(A) by a noncommercial entity; and

(B) for a noncommercial purpose;

if the public record contains the noncommercial entity's name."

(Reference is to HB 1306 as printed January 28, 2014.)
and when so amended that said bill do pass.
Committee Vote: Yeas 7, Nays 3.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1319, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 2-5-38.1-1, AS ADDED BY P.L.254-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. As used in this chapter "commission" refers to the commission on education established by section ~~2~~ **1.5** of this chapter."

Page 1, line 13, strike "on".

Page 1, line 14, strike "education".

Page 3, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 6. IC 20-18-2-22, AS AMENDED BY P.L.167-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 22. (a) "Teacher" means a professional person whose position in a school corporation requires certain educational preparation and licensing and whose primary responsibility is the instruction of students.

(b) For purposes of IC 20-28, the term includes the following:

(1) A superintendent who holds a license under IC 20-28-5.

(2) A principal.

(3) A teacher.

(4) A librarian.

(5) A school counselor.

SECTION 7. IC 20-19-3-9.4, AS ADDED BY P.L.1-2010, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9.4. (a) Beginning January 1, 2010, the department may obtain and maintain student test number information in a manner and form that permits any person who is authorized to review the information to:

(1) access the information at any time; and

(2) accurately determine:

(A) where each student is enrolled and attending classes; and

(B) the number of students enrolled in a school corporation or charter school and residing in the area served by a school corporation;

as of any date after December 31, 2009, occurring before two (2) regular instructional days before the date of the inquiry.

Each school corporation and charter school shall provide the information to the department in the form and on a schedule that permits the department to comply with this section. The department shall provide technical assistance to school corporations and charter schools to assist school corporations and charter schools in complying with this section.

(b) Beginning with the 2015-2016 school year, each school corporation and charter school shall annually:

(1) determine whether a student's parent is a member of:

(A) the armed forces of the United States who is on active duty;

(B) the reserve component of a branch of the armed forces of the United States; or

(C) the national guard; and

(2) provide a list to the department of the students who have been identified under subdivision (1).

The department shall assign each student identified under subdivision (1) a unique identifier, which may be a modification of the student's test number assigned under subsection (a), by which data concerning military connected students may be disaggregated.

SECTION 8. IC 20-20-8-3, AS ADDED BY P.L.169-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) Not earlier than ~~January~~ **March** 15 or later than ~~January~~ **March** 31 of each year, the governing body of a school corporation shall publish an annual performance report of the school corporation, in compliance with the procedures identified in section 7 of this chapter. The report must be published one (1) time annually under IC 5-3-1.

(b) The department shall make each school corporation's report available on the department's Internet web site. The annual performance report published on the Internet for a school corporation, including a charter school, must include any additional information submitted by the school corporation under section 6(3)(A) of this chapter. The governing body of a school corporation may make the school corporation's report available on the school corporation's Internet web site.

(c) The governing body of a school corporation shall provide a copy of the report to a person who requests a copy. The governing body may not charge a fee for providing the copy."

Page 3, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 9. IC 20-33-2-13, AS AMENDED BY P.L.140-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 13. (a) A school

corporation shall record or include the following information in the official high school transcript for a student in high school:

- (1) Attendance records.
- (2) The student's latest ISTEP program test results under IC 20-32-5.
- (3) Any secondary level and postsecondary level certificates of achievement earned by the student.
- (4) Immunization information from the immunization record the student's school keeps under IC 20-34-4-1.
- (5) Any dual credit courses taken that are included in the core transfer library under IC 21-42-5-4.
- (6) The student's latest PSAT program test results.**

(b) A school corporation may include information on a student's high school transcript that is in addition to the requirements of subsection (a)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1319 as reprinted January 30, 2014.)
and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1351, 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 3, line 7, delete "and".

Page 3, line 8, delete "." and insert "; and

(3) has been convicted of:

(A) a controlled substance offense under IC 35-48-4; or

(B) a substantially similar offense to the offense described in clause (A) in another jurisdiction; in the previous ten (10) years."

Page 3, line 16, after "shall" insert "**be tested for the use of controlled substances:**

(1) when the individual applies to receive TANF assistance; and

(2) annually while the individual is receiving TANF assistance."

Page 3, delete lines 17 through 18.

Page 3, line 22, delete "take a written or electronic" and insert "**be tested for the use of controlled substances at the time of application and annually while receiving TANF benefits."**

Page 3, delete lines 23 through 29.

Page 3, line 30, delete "(4)" and insert "(2)".

Page 3, line 34, delete "(5)" and insert "(3)".

Page 3, line 39, delete "(6)" and insert "(4)".

Page 4, delete lines 4 through 33.

Page 4, line 34, delete "8." and insert "5".

Page 4, line 37, delete "9." and insert "6".

Page 5, line 25, delete "10." and insert "7".

Page 5, line 26, delete "9(d)" and insert "6(d)".

Page 5, line 34, delete "9" and insert "6".

Page 5, delete lines 37 through 40.

Page 5, line 41, delete "12." and insert "8".

Page 6, line 2, delete "13" and insert "9".

Page 6, line 3, delete "permanently".

Page 7, line 6, delete "13." and insert "9".

Page 7, line 18, delete "10(b)" and insert "7(b)".

Page 7, line 25, delete "12" and insert "8".

Page 7, line 26, delete "14." and insert "10".

Page 7, line 26, delete "12(g)" and insert "8(g)".

Page 7, line 39, delete "15." and insert "11".

Page 8, line 1, delete "16." and insert "12".

Page 8, line 8, delete "17." and insert "13".

Page 8, line 12, delete "18." and insert "14".

Page 8, line 19, delete "19." and insert "15".

Page 8, line 22, delete "20." and insert "16".

Page 8, line 26, delete "21." and insert "17".

Page 8, line 30, after "program" insert "**that prohibits TANF assistance from being used for any food, food product, or beverage that is not permitted to be purchased under the SNAP program."**

Page 8, delete lines 31 through 37.

Page 8, line 38, delete "(c)" and insert "(b)".

Page 9, line 1, delete "(d)" and insert "(c)".

Page 9, line 5, delete "and the unemployment insurance".

Page 9, line 6, delete "oversight committee".

(Reference is to HB 1351 as reprinted January 28, 2014.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 6, Nays 3.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1361, 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 3, after line 7, begin a new paragraph and insert:

"SECTION 6. IC 21-33-2-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 5. If approved by the commission for higher education, Ball State University may pay for project costs related to architectural, engineering, and consulting services for the construction and renovation of health and basic sciences facilities, including Cooper Science, in excess of the limits set forth in IC 21-33-3-5 and IC 21-33-3-6. If the project is recommended by the commission for higher education to the general assembly, these costs may be reimbursed.**

SECTION 7. IC 21-33-3-5, AS AMENDED BY P.L.229-2011, SECTION 237, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 5. (a) Subject to this section, in addition to projects authorized by the general assembly, the board of trustees of a state educational institution may engage in a project to:**

(1) construct buildings or facilities of a cost greater than ~~five hundred thousand dollars (\$500,000)~~; **two million dollars (\$2,000,000)**; or

(2) purchase or lease-purchase land, buildings, or facilities the principal value of which exceeds ~~two hundred fifty thousand dollars (\$250,000)~~ **two million dollars (\$2,000,000)**;

only if there are funds available for the project, the project meets any of the applicable conditions, and the project is reviewed by the commission for higher education and approved by the governor upon recommendation of the budget agency. The review by the commission for higher education must be completed not later than ninety (90) days after the project is submitted for review.

(b) If:

(1) any part of the cost of a project described in subsection (a) is paid by state appropriated funds or by mandatory student fees assessed all students for the project; and

(2) the project is to:

(A) construct new buildings or facilities of a cost greater than ~~seven hundred fifty thousand dollars (\$750,000)~~ **two million dollars (\$2,000,000)**; or

(B) purchase or lease-purchase land, buildings, or facilities the principal value of which exceeds ~~five hundred thousand dollars (\$500,000)~~ **two million dollars (\$2,000,000)**;

the project must also be approved by the general assembly.

(c) This section does not limit the board of trustees in supplementing a project approved by the general assembly from gifts or other available funds so long as approval for the expansion of the project is given by the governor on review by the commission for higher education and recommendation of the budget agency.

(d) The review and approval requirements of this section do not apply to a project to:

(1) construct buildings or facilities; or

(2) purchase or lease-purchase land, buildings, or facilities; if the project involves the expansion or improvement of housing for students undertaken entirely by a fraternity or sorority at the state educational institution.

SECTION 8. IC 21-33-3-6, AS AMENDED BY P.L.229-2011, SECTION 238, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. (a) Subject to subsection (b), in addition to projects authorized by the general assembly, the board of trustees of a state educational institution may engage in a repair and rehabilitation project for which:

(1) the cost of the project exceeds ~~seven hundred fifty thousand dollars (\$750,000)~~ **two million dollars (\$2,000,000)**; and

(2) any part of the cost of the project is paid by state appropriated funds or by mandatory student fees assessed all students **for the project**;

only if the project is reviewed by the commission for higher education and approved by the governor, on recommendation of the budget agency. The review by the commission for higher education must be completed not later than ninety (90) days after the project is submitted for review.

(b) If no part of the cost of a repair and rehabilitation project is paid by state appropriated funds or by mandatory student fees assessed all students **for the project**, the review and approval requirements of this section apply only if the project exceeds ~~one two million five hundred thousand dollars (\$1,500,000)~~ **(\$2,000,000)**.

SECTION 9. IC 21-33-3-7, AS AMENDED BY P.L.31-2010, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. In addition to projects authorized by the general assembly, the board of trustees of a state educational institution may engage in a project:

(1) to lease, other than a project to lease-purchase, a building or facility; and

(2) for which the annual cost of the project exceeds ~~one hundred fifty five hundred thousand dollars (\$150,000)~~ **(\$500,000)**;

only if the project is reviewed by the commission for higher education and approved by the governor, on recommendation of the budget agency. The review by the commission for higher education must be completed not later than ninety (90) days after the project is submitted for review.

SECTION 10. IC 21-34-6-6, AS ADDED BY P.L.2-2007, SECTION 275, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. (a) The board of trustees of a state educational institution may issue bonds for the purpose of:

(1) reimbursing the state educational institution for funds expended or advanced for interim financing of the cost of any building facility or facilities before the issuance of bonds for the facility or facilities; or

(2) subject to subsection (b) and to existing covenants and agreements with the holders of the outstanding obligations:

(A) funding outstanding obligations incurred or refunding outstanding bonds issued either under:

(i) this article; or

(ii) other applicable law;

for building facilities approved by the governor and the budget agency or its predecessor; or

(B) in part for funding or refunding purposes and in part for any other purpose authorized by this article; and

may secure the payment of the bonds as provided in this article.

(b) **Bonds for refunding or advance refunding of any outstanding bonds approved under this article for which the general assembly has made a fee replacement appropriation may not be issued by a state educational institution under this chapter without the specific approval of the budget agency and before the board of trustees of the issuing state educational institution finds that the refunding or advance refunding will benefit the state educational institution because:**

(1) **a net savings to the state educational institution will be effected; or**

(2) **the net present value of principal and interest payments on the bonds is less than the net present value of the principal and interest payments on the outstanding bonds to be refunded.**

The length of the term may not be extended for refunding or advance refunding bonds that are approved under this

subsection compared to the term of the outstanding bonds being refunded.

SECTION 11. IC 21-34-10-7, AS AMENDED BY P.L.173-2011, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. **(a)** Bonds may be issued by the board of trustees of a state educational institution without the approval of the general assembly to finance a qualified energy savings project if annual operating savings to the state educational institution arising from the implementation of a qualified energy savings project are reasonably expected to be at least equal to annual debt service requirements on bonds issued for this purpose in each fiscal year. However, the amount of bonds outstanding for the state educational institution other than Ivy Tech Community College at any time for qualified energy savings projects, other than refunding bonds and exclusive of costs described in sections 3 and 4 of this chapter, **and except as provided in subsection (c)**, may not exceed **the greater of:**

(1) fifteen million dollars (\$15,000,000) for each campus of the state educational institution; **or**

(2) the product of:

(A) the total replacement value of all structures located on each campus of the state educational institution; multiplied by

(B) two percent (2%).

The amount of bonds outstanding for Ivy Tech Community College at any time for qualified energy savings projects, other than refunding bonds and exclusive of costs described in sections 3 and 4 of this chapter, may not exceed forty-five million dollars (\$45,000,000).

(b) Bonds issued under this section are not eligible for fee replacement.

(c) If a particular qualified energy savings project for a state educational institution, other than Ivy Tech Community College, results in the amount of bonds outstanding at any time for all qualified energy savings projects for the state educational institution, other than refunding bonds and exclusive of costs described in sections 3 and 4 of this chapter, to exceed fifteen million dollars (\$15,000,000), the operating savings to the state educational institution arising from the implementation of that project must at least equal the original amount of bonds issued for that project in not more than eight (8) years."

(Reference is to HB 1361 as reprinted January 28, 2014.) and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1369, 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 2, line 25, delete "fourteen" and insert "**twenty-one**".

Page 2, line 26, delete "(14)" and insert "**(21)**".

Page 2, line 31, delete "debtor:" and insert "**debtor in accordance with the Indiana Rules of Trial Procedure.**".

Page 2, delete lines 32 through 33.

Page 2, line 35, delete "department:" and insert "**department in accordance with the Indiana Rules of Trial Procedure.**".

Page 2, delete lines 36 through 39.

(Reference is to HB 1369 as printed January 28, 2014.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 7, Nays 1.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1384, 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 10, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1391, 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 2, delete "JULY" and insert "JANUARY 1, 2015]:".

Page 1, line 3, delete "1, 2014]:".

Page 1, line 6, delete "JULY 1, 2014]:" and insert "JANUARY 1, 2015]:".

Page 2, line 20, delete "JULY 1, 2014]:" and insert "JANUARY 1, 2015]:".

Page 2, line 26, delete "JULY 1, 2014]:" and insert "JANUARY 1, 2015]:".

Page 2, line 34, delete "July 1," and insert "**January 1, 2015,**".

Page 2, line 35, delete "2014,".

Page 2, line 38, delete "June 30," and insert "**December 31,**".

Page 3, line 4, delete "ten" and insert "**twenty**".

Page 3, line 5, delete "(\$10,000)" and insert "**(\$20,000)**".

Page 3, line 22, delete "living, if" and insert "**living if, using the needs based assessment established under section 13(1) of this chapter,**".

Page 3, line 26, delete "activity, if" and insert "**activity if, using the needs based assessment established under section 13(1) of this chapter,**".

Page 4, line 12, after "shall" insert "**, in accordance with standards established under section 13(3) of this chapter,**".

Page 4, line 14, delete "ten" and insert "**twenty**".

Page 4, line 15, delete "(\$10,000)" and insert "**(\$20,000)**".

Page 4, line 19, delete "June 30," and insert "**December 31,**".

Page 4, line 26, after "for" insert "**or participation in**".
 Page 4, line 29, delete "JULY 1, 2014]:" and insert "JANUARY 1, 2015]:".

Page 4, line 38, delete "." and insert ", **as determined under section 13(2) of this chapter.**".

Page 4, line 40, delete "JULY 1, 2014]:" and insert "JANUARY 1, 2015]:".

Page 5, line 11, delete "division shall distribute the program" and insert "**area agency on aging shall:**

(1) determine, in accordance with section 13(4) of this chapter, the savings from not paying for these services; and

(2) allocate twenty percent (20%) of the savings calculated under subdivision (1) to offset the individual's cost share amount, if any, for participating in the program."

Page 5, delete lines 12 through 21, begin a new paragraph and insert:

"SECTION 7. IC 12-10-10-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 13. The division and the area agencies on aging shall jointly develop policies that establish the following:**

(1) A needs based assessment to be used in determining a client's needs and care plan under section 1(3) of this chapter.

(2) The percentage of program dollars adequate to provide case management services.

(3) A cost participation schedule for program recipients as required by section 4(d) of this chapter.

(4) Procedures for determining cost savings as required by section 9(c) of this chapter.

(5) Program performance measures for the area agencies on aging."

Page 5, line 22, delete "IC 12-10-10-13" and insert "IC 12-10-10-14".

Page 5, line 24, delete "[EFFECTIVE JULY 1, 2014]: Sec. 13." and insert "[EFFECTIVE JANUARY 1, 2015]: **Sec. 14.**".

Page 5, line 26, delete "June 30," and insert "**December 31,**".

Page 5, line 29, delete "ten" and insert "**twenty**".

Page 5, line 30, delete "(\$10,000)" and insert "**(\$20,000)**".

Page 5, after line 34, begin a new paragraph and insert:

"SECTION 9. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1391 as reprinted January 31, 2014.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 8, Nays 1.

PATRICIA MILLER, Chair

Report adopted.

SENATE MOTION

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

HCR 17 Senator Patricia Miller

- HCR 20 Senator Head
Congratulating the Indiana University School of Nursing on the occasion of the 100th anniversary of its founding.
Honoring the members of the Youth Advisory Council.
- HCR 37 Senator Arnold
Honoring the Honorable William Boklund.
- HCR 38 Senator Arnold
Honoring Tom Nowstake.
- SCR 24 Senator Rogers
Urging the INDOT to renamed the U.S. 20 in Lake County for the late Mayor Rudolph "Rudy" Clay.
- SCR 25 Senator Zakas
Congratulating 1st Source Bank on 150 years of service to the communities of northern Indiana and southwestern Michigan.
- SCR 26 Senator Zakas
Congratulating the Penn High School poms team on winning the state championship.
- SCR 27 Senator Zakas
Honoring J. Larry Neff for his 40 years as CEO & President of Goodwill Industries of Michiana.
- SCR 28 Senator Zakas
Congratulating the Elkhart Central High School baseball team on winning the Indiana High School Athletic Association's Class 4A State Championship title.
- SCR 30 Senator Zakas
Congratulating the Elkhart Truth on the occasion of its quasiquicentennial anniversary.
- SR 45 Senator Zakas
Honoring Christine Medin for being recognized as the 2014 Distinguished Young Woman of Elkhart.
- SR 49 Senator Kruse
Supporting Indiana libraries.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 17

House Concurrent Resolution 17, sponsored by Senators Patricia Miller, Delph, Waltz, and Breaux:

A CONCURRENT RESOLUTION congratulating the Indiana University School of Nursing on the occasion of the 100th anniversary of its founding.

Whereas, The Indiana University School of Nursing is the largest nursing school with undergraduate to PhD and DNP programs in the country;

Whereas, Since its founding in 1914, the Indiana School of Nursing has become a multi-campus school with a significant presence on eight Indiana University campuses throughout the state;

Whereas, The Indiana University School of Nursing's foundation is based on the core values of respect, responsibility, trust, and dialogue;

Whereas, Ranking eighth among public universities that receive funding from the National Institutes of Health, the Indiana University School of Nursing prides itself on the fact that 40 percent of the baccalaureate prepared professional nurses in Indiana graduate from this outstanding school of nursing each year;

Whereas, In recognition of the school's many accomplishments, the US News & World Report 2014 Graduate School rankings place the Indiana University School of Nursing's graduate program 15th overall and third in adult health CNS, and the school's Citizen Diplomacy Program was selected as a Top Program by the Global Health Task Force and the U.S. Center for Citizen Diplomacy and recognized for addressing global health issues by using the potential of the U.S. civilian capacity as a valuable resource; and

Whereas, The Indiana University School of Nursing has served the State of Indiana and its citizens for 100 years, actively engaging in research and service programs that promote the health and well-being of Hoosiers everywhere: 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 Indiana University School of Nursing on the occasion of the 100th anniversary of its founding.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Dr. Marion Broome, Dean of the Indiana University School of Nursing.

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 20

House Concurrent Resolution 20, sponsored by Senator Head:

A CONCURRENT RESOLUTION honoring the members of the Youth Advisory Council.

Whereas, The Youth Advisory Council provides information to the General Assembly from young people concerning issues that are important to the youth of Indiana, and submits an annual legislative report to the General Assembly regarding these issues;

Whereas, Created by House Enrolled Act 1162 in 2008, the council consists of 22 Hoosiers ages 16-22 from across Indiana;

Whereas, The actions and involvement of the members of the Youth Advisory Council demonstrate the importance of

individuals from different backgrounds, political ideologies, and areas of expertise engaging in policy discussions about government;

Whereas, These bright young people are very involved in the democratic process and are eager to help youth across Indiana;

Whereas, In addition to representing the voice of Indiana youth to the General Assembly, the members' involvement in the council provides them with a firsthand civics lesson; and

Whereas, It is through the service of dedicated young people such as the members of the Youth Advisory Council that Indiana will grow and improve as a state: 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 thanks these outstanding young people for their participation in the democratic process and for supporting their communities and their state.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Youth Advisory Council members Andrew Dam, Frank Glover, Ellie Honious, Dashaen Jordan, Morgan Weller, James Wells, Catherine Yanko, and Will Hart.

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 37

House Concurrent Resolution 37, sponsored by Senators Arnold, Tallian, and Charbonneau:

A CONCURRENT RESOLUTION honoring the Honorable William Boklund.

Whereas, Judge William Boklund, LaPorte Superior Court 4, will be retiring at the end of his current term;

Whereas, Judge Boklund was first appointed as a Superior Court Judge in 1993, elected in 1996, and re-elected in 2002 and 2008;

Whereas, Judge Boklund graduated with distinction from Purdue University where he majored in English literature and minored in Business;

Whereas, Interested in the law since he was in the first grade, Judge Boklund received his Doctor of Jurisprudence from Valparaiso University;

Whereas, Before serving on the bench, Judge Boklund was in private practice and served as a LaPorte County deputy prosecuting attorney;

Whereas, While serving on the court, Judge Boklund established the Road Crew program to ease overcrowding in the LaPorte County Jail, brought ignition interlock to LaPorte County for drunk driving cases, and established a domestic violence program that includes a GPS-electronic monitoring device called the Shield to protect victims;

Whereas, Judge Boklund became one of the first two judges in Indiana to earn a master's certificate from the state's Judicial College, was appointed by the Indiana chief justice to the Board of Directors of the Indiana Judicial Conference and currently serves as a member of its faculty, served two terms as chairman of the Indiana Criminal Jury Instructions Committee, has been named Judge of the Year by the Indiana Correctional Association, and is one of only two judges who have been twice awarded the Indiana Judges Association's Excellence in Public Information and Education Award; and

Whereas, Judge William Boklund has devoted his life to the law and to helping people: 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 deepest gratitude to the Honorable William Boklund for his years of dedicated service to the people of LaPorte County and the state of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the Honorable William Boklund.

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 38

House Concurrent Resolution 38, sponsored by Senators Arnold and Tallian:

A CONCURRENT RESOLUTION honoring Tom Nowatzke.

Whereas, Born on September 30, 1942, in LaPorte County, Tom Nowatzke is a hometown hero and a legendary football player;

Whereas, At the request of Michigan City Mayor Ron Meer, the Michigan City Board of Public Works and Safety approved the placement of an honorary street sign on Wabash Street between May Avenue and Pytynia Parkway as a permanent reminder of these accomplishments;

Whereas, Tom grew up on the family's 180 acre potato farm 10 miles outside of Michigan City and attended Elston High School;

Whereas, A three-way threat at Indiana University playing running back, linebacker, and placekicker, Tom was named the 1963 Indiana University's Most Valuable Player, while leading the Hoosiers in rushing and scoring an Indiana University record 73 points;

Whereas, The first round pick of the NFL's Detroit Lions and the AFL's New York Jets in the 1965 pro football drafts, Tom played five seasons with the Lions before being traded to the Baltimore Colts in 1970;

Whereas, Always a hero to Colts fans everywhere, Tom was the Colts' leading rusher in Super Bowl V and scored the game-tying touchdown helping the Colts defeat the Dallas Cowboys 16-13;

Whereas, Tom was inducted into the Indiana Football Hall of Fame and the Indiana University Athletics Hall of Fame;

Whereas, Tom Nowatzke is also the subject of a documentary entitled "Running Strong: The Tom Nowatzke Story" produced by Emmy-nominated Stunt3 Multimedia that is to be distributed to every middle school, high school, and public library in Indiana;

Whereas, Tom Nowatzke lives in Ann Arbor, Michigan, and continues to run his own business - Nowatzke Truck & Trailer, Inc./NRT Leasing, LCC in Whitmore Lake; and

Whereas, Outstanding 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 Tom Nowatzke on his outstanding football career, thanks him for the hours of enjoyment he gave to Hoosier football fanatics everywhere, and wishes him continued success in all his endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to Tom Nowatzke and his family.

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 24

Senate Concurrent Resolution 24, introduced by Senator Rogers:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename U.S. 20 in Lake County for the late Mayor Rudolph "Rudy" Clay.

Whereas, Rudolph "Rudy" Clay dutifully served the people of Gary and Lake County in a variety of capacities throughout four decades of public life;

Whereas, Rudy was born on July 16, 1935 in Alabama, and moved to Indiana at a very young age;

Whereas, Rudy is a graduate of Roosevelt High School and attended Indiana University;

Whereas, Prior to politics, Rudy served two years in the United States Army, and worked as an insurance agent in Midtown, Indiana;

Whereas, Rudy marched with Rev. Martin Luther King Jr. and Rev. Jesse Jackson Sr. at Gage Park in Chicago during the 1960s;

Whereas, Rudy was elected to the Indiana State Senate in 1972 to represent Indiana's 3rd District. He was the only African-American Senator in the General Assembly at the time;

Whereas, As a Senator, Rudy worked towards better treatment of prison inmates, a victims' compensation fund, a tenants' bill of rights, making Martin Luther King Jr. a state holiday, closing the Gary city dump, and fought against discriminatory hiring practices;

Whereas, Rudy was called on by then-Gov. Otis Bowen to negotiate a hostage situation in 1973 at the Indiana State Prison in Michigan City. The rioting inmates ended the 35-hour siege after they spoke with Clay;

Whereas, Following the State Senate, Rudy was elected to the Lake County Council, 2nd District, and served there from 1978 to 1984;

Whereas, Rudy was elected Lake County Recorder in 1984;

Whereas, In 1986, Rudy was shot at outside of his home by unidentified assailants. No charges were ever filed;

Whereas, The State Democratic Central Committee named Rudy the Lake County Party Chairman, a position in which he served from 2005 to 2009. Clay was the first African-American head of the Lake County Democratic Party;

Whereas, Following the resignation of Mayor Scott King, Rudy became Mayor in 2006. He would go on to win a popular election for mayor in 2007;

Whereas, Rudy served as Mayor of Gary, Indiana from 2006 through 2011. He decided not to seek reelection due to health concerns; and

Whereas, Rudy passed away on June 4, 2013 at the age of 77: Therefore,

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

SECTION 1. The Indiana General Assembly recognizes Rudolph "Rudy" Clay for his many accomplishments and steadfast dedication to the people of Gary, Lake County, and the State of Indiana by urging the Indiana Department of Transportation to rename U.S. 20 in Lake County in his honor.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the Indiana Department of Transportation and Rudy's family.

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 C. Brown and Soliday.

Senate Concurrent Resolution 25

Senate Concurrent Resolution 25, introduced by Senators Zakas and Broden:

A CONCURRENT RESOLUTION congratulating 1st Source Bank on 150 years of service to the communities of northern Indiana and southwestern Michigan.

Whereas, 1st Source Bank was founded as First National Bank of South Bend, Indiana just eleven days after President Abraham Lincoln's delivery of the Gettysburg Address in 1863, making 1st Source Bank a venerable member of the Indiana business community;

Whereas, 1st Source Bank has been run by the same family since the 1930s, with a focus on the local communities where its branches are located;

Whereas, 1st Source Bank has been honored by Forbes as one of America's best banks and named one of the top 1,000 banks in the world for 2013 by The Banker magazine; and

Whereas, 1st Source Bank's community roots and dedication to providing "straight talk and sound advice" to those in its communities has allowed the bank to thrive and grow over the past 150 years: 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 1st Source Bank on 150 years in the communities of northern Indiana and southwestern Michigan.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Christopher Murphy III, Chairman and CEO of 1st Source Bank.

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 DeVon, Bauer, and Wesco.

Senate Concurrent Resolution 26

Senate Concurrent Resolution 26, introduced by Senators Zakas, Mishler, and Broden:

A CONCURRENT RESOLUTION congratulating the Penn High School poms team on winning the state championship.

Whereas, After winning first place in all three of their regular invitationals, the Penn High School poms team captured the state championship at the competition hosted by the Indiana High School Dance Team Association;

Whereas, The team was led by Abby Penland, the Penn Poms team captain, and Cindi Minegar, the Penn Poms team coach, who has now led the Penn High School poms team to five state championships;

Whereas, The competitive dance team was judged on choreography, difficulty, technique, pictures, unison, and showmanship; and

Whereas, Extensive training, precision, and teamwork marked the poms team's perfect season and exceptional success: 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 Penn High School poms team on their state championship and successful season.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the coach of the Penn High School poms team, Cindi Minegar.

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 DeVon and Wesco.

Senate Concurrent Resolution 27

Senate Concurrent Resolution 27, introduced by Senators Zakas and Broden:

A CONCURRENT RESOLUTION honoring J. Larry Neff for his 40 years as CEO and President of Goodwill Industries of Michiana.

Whereas, J. Larry Neff's tenure as CEO and President of Goodwill Industries of Michiana has been marked with innovation and success;

Whereas, Under his leadership, Goodwill Industries of Michiana has grown from 41 employees to a fiscally strong organization that now serves 16 counties with over 600 employees, 22 retail stores, and 14 workforce development centers;

Whereas, Last year alone, more than 5,000 individuals received assistance and training through Goodwill career centers and programs such as "Welfare to Work," and more than 750 individuals were placed in jobs; and

Whereas, Larry has been elected to the South Bend Community Hall of Fame to recognize his achievements: 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 J. Larry Neff for his successful 40 years as CEO and President of Goodwill Industries of Michiana and thanks him for his service to the state of Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to J. Larry Neff.

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 DeVon and Bauer.

Senate Concurrent Resolution 28

Senate Concurrent Resolution 28, introduced by Senators Zakas, Yoder, and Mishler:

A CONCURRENT RESOLUTION congratulating the Elkhart Central High School baseball team on winning the Indiana High School Athletic Association's Class 4A State Championship title.

Whereas, For the first time in the IHSAA tournament's history, Elkhart Central High School's baseball team claimed the state championship;

Whereas, Elkhart Central's Blue Blazers defeated Cathedral's Fighting Irish at Victory Field in Indianapolis, Indiana on June 15, 2013, 1-0 to win the title;

Whereas, The team was led by head coach Steve Stutsman and senior pitcher Tanner Tully, who pitched 13 strikeouts and whose home run hit was the first at bat of the team's championship game; and

Whereas, Along with being recognized for their exceptional sportsmanship and teamwork with the IHSAA Class 4A State Championship, senior center fielder Matt Eppers was awarded the IHSAA's Class 4A L.V. Phillips Mental Attitude Award after the game as well: 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 Elkhart Central High School baseball team, the Blue Blazers, on winning the Indiana High School Athletic Association's Class 4A Championship and their first state title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the Elkhart Central High School baseball team and their head coach, Steve Stutsman.

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 Neese and Wesco.

Senate Concurrent Resolution 30

Senate Concurrent Resolution 30, introduced by Senators Zakas, Mishler, and Yoder:

A CONCURRENT RESOLUTION congratulating The Elkhart Truth on the occasion of its quasiquicentennial anniversary.

Whereas, The Elkhart Truth first began publication in October of 1889, making it one of the oldest newspapers in Indiana;

Whereas, The inception of The Elkhart Truth predates such venerable newspapers as The Denver Post, the Houston Chronicle, and The Indianapolis Star;

Whereas, The Elkhart Truth takes seriously its responsibility to hold those in power accountable, to speak on behalf of those who otherwise have no voice, and to inform, educate, and serve the community;

Whereas, As part of the celebration of The Elkhart Truth's quasiquicentennial anniversary, the newspaper will republish historic Elkhart Truth front pages in a year-long series; and

Whereas, The Elkhart Truth will culminate its celebration of 125 years of publication on October 15, 2014, with a special event in downtown Elkhart: 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 Elkhart Truth on the occasion of its quasiquicentennial anniversary, and wishes The Elkhart Truth many more years of continued success.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Brandon Erlacher, Publisher, and John F. Dille.

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 Neese.

Senate Resolution 45

Senate Resolution 45, introduced by Senators Zakas and Yoder:

A SENATE RESOLUTION honoring Christine Medin for being recognized as the 2014 Distinguished Young Woman of Elkhart.

Whereas, Christine Medin, senior at Elkhart Central High School, was named the 2014 Distinguished Young Woman of Elkhart;

Whereas, Distinguished Young Women is a national scholarship program that inspires high school girls to develop their full, individual potential;

Whereas, Christine Medin has excelled in the areas of creative and performing arts, scholastic achievement, self-expression, and physical fitness; and

Whereas, Christine Medin has set an example for all young Hoosier women to aspire to: Therefore,

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

SECTION 1. That the Indiana Senate honors Christine Medin of Elkhart, Indiana for being recognized as the 2014 Distinguished Young Woman of Elkhart.

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

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

Senate Resolution 49

Senate Resolution 49, introduced by Senator Kruse:

A SENATE RESOLUTION supporting Indiana libraries.

Whereas, Indiana libraries empower individuals;

Whereas, People of all ages turn to libraries to improve their lives by developing skills to succeed in school, explore possible careers, look for employment, or plan for retirement;

Whereas, Indiana libraries support literacy and lifelong learning by helping children and adults learn to read through story times, summer reading programs, and tutoring;

Whereas, Indiana libraries strengthen families by providing a welcoming place and a wealth of resources to help families learn, grow, and play together;

Whereas, Indiana libraries serve people of every age, education level, income level, ethnicity, and physical ability, often providing resources that they could not otherwise afford;

Whereas, Indiana libraries provide people from all walks of life with a place to come together to discuss issues of common concern, and libraries provide programs, collections, and meeting spaces to help us share and learn from our differences;

Whereas, Indiana libraries bring people together, both in person and online, to have conversations and to learn from and help each other;

Whereas, Indiana libraries support the basic right of economic health and successful governance by people who are literate and informed;

Whereas, Our right to read, seek information, and speak freely must not be taken for granted; Indiana libraries and librarians actively defend this most basic freedom; and

Whereas, Indiana libraries help preserve our nation's cultural heritage by collecting, digitizing, and preserving original and unique historical documents that help us better understand our past, present, and future: Therefore,

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

SECTION 1. That the Indiana Senate recognizes the valuable contributions of Indiana libraries.

SECTION 2. That the copies of this resolution be transmitted by the Secretary of the Senate to Susan Akers, Executive Director of the Indiana Library Federation.

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

SENATE MOTION

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

SR 16 Senator Lanane

Memorializing the life and accomplishments of Deacon Mack Reese Sr.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 16

Senate Resolution 16, introduced by Senator Lanane:

A SENATE RESOLUTION memorializing the life and accomplishments of Deacon Mack Reese Sr.

Whereas, Mack Reese was born on October 3rd, 1933 and passed away November 4th, 2013 at the age of 80 years;

Whereas, Deacon Reese was one of twelve children born to parents Jimmy and Eliza Reese;

Whereas, Deacon Reese was a devoted husband to his wife of 58 years, Ida L. Reese, loving father to his four children: Mack Jr., Kathy, Kenneth, and Karen, and doting grandfather to Kenneth Jr. and Kenreka;

Whereas, Deacon Reese was a deeply religious man, having confessed his faith in Christ at the age of 11 at Calvary Baptist Church in Montgomery County, Alabama;

Whereas, Deacon Reese relocated to Anderson, Indiana in 1952 and joined Anderson Zion Baptist Church, where he served in a variety of capacities within the church including Chairman of the Deacon Board;

Whereas, Deacon Reese was a hardworking man who spent 30 years employed at Delco Remy before retiring in 1982;

Whereas, Deacon Reese showed his diligence as a community and civic leader through his involvement in the United Auto Workers Local 662, appointment to the City of Anderson Board of Public Safety, and co-founding of G&R Grading and Excavating; and

Whereas, Deacon Reese's passing leaves a hole in the hearts of his family and community, but his impact shall live on for years to come: Therefore,

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

SECTION 1. The Indiana Senate memorializes the life and accomplishments of Deacon Mack Reese Sr.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to his family.

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

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bills 58 and 393 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bills 63, 207, 236, and 329 and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

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

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 17 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 20 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 Resolutions 7, 38, 41, and 42 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING**Senate Concurrent Resolution 11**

Senator Arnold called up Senate Concurrent Resolution 11 for second reading. The resolution was read a second time and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Dermody and Soliday.

**ENGROSSED HOUSE BILLS
ON SECOND READING****Engrossed House Bill 1019**

Senator Grooms called up Engrossed House Bill 1019 for second reading. The bill was read a second time by title.

**SENATE MOTION
(Amendment 1019-1)**

Madam President: I move that Engrossed House Bill 1019 be amended to read as follows:

Page 5, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 11. IC 14-20-15-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. (a) The governor or the governor's designee shall act as the chair of the commission.

(b) The chair shall give notice of the date, time, and place of a meeting of the commission to the members of the commission at least ten (10) days before the meeting date by any of the following methods:

- (1) Mail.**
- (2) Fax.**
- (3) Telephone.**
- (4) Electronic mail."**

Page 6, after line 9, begin a new paragraph and insert:

"SECTION 14. IC 14-20-15-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 13. (a) Money acquired by the commission is subject to Indiana law concerning the deposit and safekeeping of public money.

(b) Money acquired by the commission shall be held in an account under the name of "The Lewis and Clark Expedition Commission".

(c) Before money in the account described in subsection (b) may be disbursed from the account, a vote of the members of the commission must be held to approve the disbursement.

(d) The money of the commission and the accounts of each officer, employee, or other person entrusted by law with the raising, disposition, or expenditure of the money or part of the money is subject to the following:

- (1) Examination by the state board of accounts.**
- (2) The same penalties and the same provision for publicity that are provided by law for state money and state officers."**

Renumber all SECTIONS consecutively.

(Reference is to EHB 1019 as printed February 18, 2014.)

SMITH

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1020

Senator Hershman called up Engrossed House Bill 1020 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1039

Senator Grooms called up Engrossed House Bill 1039 for second reading. The bill was read a second time by title. There

being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1050

Senator Yoder called up Engrossed House Bill 1050 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1053

Senator Yoder called up Engrossed House Bill 1053 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1057

Senator Bray called up Engrossed House Bill 1057 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1096

Senator Pete Miller called up Engrossed House Bill 1096 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1132

Senator Merritt called up Engrossed House Bill 1132 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1134

Senator Zakas called up Engrossed House Bill 1134 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1196

Senator Hershman called up Engrossed House Bill 1196 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1215

Senator Hershman called up Engrossed House Bill 1215 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1237

Senator Wyss called up Engrossed House Bill 1237 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1276

Senator Charbonneau called up Engrossed House Bill 1276 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1286

Senator Wyss called up Engrossed House Bill 1286 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1340

Senator Pete Miller called up Engrossed House Bill 1340 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 1340-1)

Madam President: I move that Engrossed House Bill 1340 be amended to read as follows:

Page 1, delete lines 1 through 16.

Page 2, delete lines 1 through 15.

Page 2, line 36, delete "Indiana".

Page 2, line 37, delete "finance authority or the"

Renumber all SECTIONS consecutively.

(Reference is to EHB 1340 as printed February 19, 2014.)

PETE MILLER

Motion prevailed. The bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1070

Senator M. Young called up Engrossed House Bill 1070 for third reading:

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

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

Roll Call 211: yeas 44, 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.

Engrossed House Bill 1095

Senator Merritt called up Engrossed House Bill 1095 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 212: yeas 44, 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.

Engrossed House Bill 1268

Senator M. Young called up Engrossed House Bill 1268 for third reading:

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

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

Roll Call 213: yeas 44, 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.

SENATE MOTION

Madam President: I move that Senator Kruse be added as third sponsor of Engrossed House Bill 1063.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second sponsor of Engrossed House Bill 1047.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Yoder be added as second sponsor of Engrossed House Bill 1242.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as cosponsor of Engrossed House Bill 1321.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be removed as cosponsor of Engrossed House Bill 1181.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as

second sponsor of Engrossed House Bill 1181.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second sponsor of Engrossed House Bill 1076.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as third sponsor of Engrossed House Bill 1079.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as second sponsor and Senator Schneider be added as cosponsor of Engrossed House Bill 1027.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Patricia Miller and Lanane be added as cosponsors of Engrossed House Bill 1062.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as third author and Senator Steele be added as coauthor of Senate Concurrent Resolution 10.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be removed as sponsor of Engrossed House Bill 1046 and that Senator Waterman be substituted therefor.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as third sponsor of Engrossed House Bill 1046.

WATERMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as cosponsor of Engrossed House Bill 1071.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Schneider and Taylor be added as cosponsors of Engrossed House Bill 1321.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author of Senate Resolution 19.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as cosponsor of Engrossed House Bill 1110.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Waterman be added as third sponsor of Engrossed House Bill 1009.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Banks be added as second sponsor of Engrossed House Bill 1385.

SCHNEIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as cosponsor of Engrossed House Bill 1391.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Arnold, Banks, Becker, Boots, Bray, Breaux, Broden, Buck, Charbonneau, Crider, Delph, Eckerty, Glick, Grooms, Head, Hershman, Holdman, Hume, Kenley, Kruse, Lanane, Landske, Leising, Long, Merritt, Patricia Miller, Pete Miller, Mishler, Mrvan, Nugent, Paul, Randolph, Rogers, Schneider, Skinner, Smith, Steele, Stoops, Tallian, Tomes, Walker, Waltz, Waterman, Wyss, Yoder, M. Young, R. Young, and Zakas be added as coauthors of Senate Concurrent Resolution 29.

TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Banks, Becker, Boots, Bray, Breaux, Broden, Buck, Charbonneau, Crider, Delph, Eckerty, Glick, Grooms, Head, Hershman, Holdman, Hume, Kenley, Kruse, Lanane, Landske, Leising, Long, Merritt, Patricia Miller, Pete Miller, Mishler, Mrvan, Nugent, Paul, Randolph, Rogers, Schneider, Skinner, Smith, Steele, Stoops, Tallian, Taylor, Tomes, Walker, Waltz, Waterman, Wyss, Yoder, M. Young, R. Young, and Zakas be added as coauthors of Senate Concurrent Resolution 11.

ARNOLD

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, February 24, 2014.

LONG

Motion prevailed.

The Senate adjourned at 2:40 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUE ELLSPERMANN
President of the Senate