



# Journal of the House

State of Indiana

120th General Assembly

First Regular Session

Forty-ninth Day

Wednesday Morning

April 19, 2017

The invocation was offered by Reverend Peter Jessen of First Presbyterian Church in Franklin, a guest of Representative J. Young.

The House convened at 11:00 a.m. with Speaker Brian C. Bosma in the Chair.

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

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

Arnold <input type="checkbox"/>	Kirchhofer
Austin	Klinker
Aylesworth	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Bauer <input type="checkbox"/>	Lucas
Behning <input type="checkbox"/>	Lyness
Beumer	Macer
Borders	Mahan
Braun	May
C. Brown	Mayfield
T. Brown	McNamara
Burton	Miller
Candelaria Reardon	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cook	Negele
Culver	Nisly
Davisson	Ober
DeLaney	Olthoff
DeVon	Pelath
Dvorak	Pierce
Eberhart	Porter
Ellington	Pressel
Engleman	Pryor
Errington	Richardson
Forestal	Saunders <input type="checkbox"/>
Friend	Schaibley
Frizzell	Shackleford
Frye	Siegrist
GiaQuinta	Slager
Goodin	Smaltz <input type="checkbox"/>
Gutwein	M. Smith
Hamilton	V. Smith
Hamm	Soliday
Harris <input type="checkbox"/>	Speedy
Hatfield	Stemler
Heaton	Steuerwald
Heine	Sullivan
Huston	Summers <input type="checkbox"/>
Jordan	J. Taylor
Judy	Thompson
Karickhoff	Torr
Kersey	VanNatter

Washburne  
Wesco   
Wolkins  
Wright

J. Young  
Zent  
Ziemke   
Mr. Speaker

Roll Call 500: 91 present; 9 excused. The Speaker announced a quorum in attendance. [NOTE:  indicates those who were excused.]

## RESOLUTIONS ON FIRST READING

### Senate Concurrent Resolution 57

The Speaker handed down Senate Concurrent Resolution 57, sponsored by Representatives Bauer and Devon:

A CONCURRENT RESOLUTION honoring the University of Notre Dame on the occasion of its 175th Anniversary.

*Whereas, In November 1842, Father Edward Sorin and seven brothers from the Congregation of the Holy Cross journeyed approximately 300 miles on foot from Vincennes, Indiana, to found the University of Notre Dame in St. Joseph County, Indiana;*

*Whereas, Notre Dame has grown from the vision of Father Sorin, who sought to establish a great Catholic university in America, and has advanced its religious and intellectual traditions;*

*Whereas, Notre Dame is consistently ranked among the top twenty universities in the United States, and having established itself among America's leading institutions of higher education, Notre Dame has been at the forefront of research and scholarship;*

*Whereas, In August 2017, Notre Dame will sponsor a pilgrimage retracing the footsteps of Father Sorin and his Holy Cross brothers to commemorate the 175<sup>th</sup> anniversary of Notre Dame's founding; and*

*Whereas, 175 years since its founding, Notre Dame's enduring international influence and commitment to Catholic education and service remain readily apparent: Therefore,*

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

SECTION 1. That the Indiana General Assembly honors the University of Notre Dame on the occasion of its 175<sup>th</sup> anniversary.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Reverend John I. Jenkins of the University of Notre Dame.

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

### Senate Concurrent Resolution 58

The Speaker handed down Senate Concurrent Resolution 58, sponsored by Representative May:

A CONCURRENT RESOLUTION recognizing National Donate Life Month and the honorable service provided by Donate Life America and Donate Life Indiana.

*Whereas, National Donate Life Month ("NDLM") was instituted by Donate Life America and its partnering organizations in 2003;*

*Whereas, Celebrated in April each year, NDLM features an entire month of local, regional, and national activities to help encourage Americans to register as organ, eye, and tissue donors and to celebrate those who have saved lives through the gift of donation;*

*Whereas, Donate Life America is a not-for-profit alliance of national organizations and state teams across the United States committed to increasing the number of donated organs, eyes, and tissue available for transplant to save and heal lives;*

*Whereas, Founded as the Coalition on Donation in 1992 by the transplant community, the Donate Life community has grown donor designation to nearly 135 million registered organ, eye, and tissue donors in the United States;*

*Whereas, On the state level, Donate Life Indiana is the state-authorized nonprofit organization responsible for managing the Indiana Donor Registry. Donate Life Indiana's mission is to save lives by creating opportunities for all Indiana citizens to sign up on the official state registry while striving to raise awareness for organ, eye and tissue donation and transplantation through public education;*

*Whereas, The Indiana General Assembly commends Donate Life America and Donate Life Indiana for their honorable work that has saved and healed countless lives; and*

*Whereas, It is fitting that the Indiana General Assembly recognizes National Donate Life Month and the honorable service provided by Donate Life America and Donate Life Indiana: 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 recognizes National Donate Life Month and the honorable service provided by Donate Life America and Donate Life Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Donate Life Indiana.

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

### House Concurrent Resolution 85

Representative Bosma introduced House Concurrent Resolution 85:

A CONCURRENT RESOLUTION fixing the date for the First Regular Technical Session of the One Hundred Twentieth General Assembly.

*Whereas, IC 2-2.1-1-2.5 authorizes the General Assembly to fix a date for the First Regular Technical Session of the General Assembly;*

*Whereas, The General Assembly finds that it is in the best interest of the State of Indiana to fix a date for the Technical Session; and*

*Whereas, It is prudent to allow the Speaker of the House of Representatives and the President Pro Tempore of the Senate to jointly order that the Technical Session not convene if they determine the cost and inconvenience do not justify meeting in Technical Session: Therefore,*

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

SECTION 1. The date for the First Regular Technical Session of the One Hundred Twentieth General Assembly is hereby fixed for Tuesday, June 20, 2017, at 1:30 p.m.

SECTION 2. The Speaker of the House of Representatives and the President Pro Tempore of the Senate may issue a joint order that the General Assembly not convene in Technical Session if they determine the cost and inconvenience of meeting in Technical Session are not justified.

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

### House Resolution 71

Representative Kirchhofer introduced House Resolution 71:

A HOUSE RESOLUTION congratulating the Walker Career Center robotics group Team 829 Digital Goats.

*Whereas, Team 829 Digital Goats from the Walker Career Center at Warren Central High School are Indiana FIRST robotics state champions;*

*Whereas, Indiana FIRST (For Inspiration and Recognition of Science and Technology) is dedicated to expanding students' horizons in science, math, engineering, and technology in the state;*

*Whereas, Team 829 Digital Goats, founded in 2001, is a co-curricular program in which students learn an array of skills and make lasting friendships;*

*Whereas, The competition, hosted by Huntington North High School, allowed Team 829 Digital Goats the opportunity to make alliances and face 32 other teams from across Indiana;*

*Whereas, At the Indiana FIRST district championship competition Team 829 Digital Goats partnered with Team 292 Panther Tech from Western High School and Team 3176 Purple Precision from Brownsburg High School to win the 2017 robotics state championship;*

*Whereas, As state champions, Team 829 Digital Goats are eligible to participate in the FIRST Robotics World Championship Tournament in St. Louis, Missouri;*

*Whereas, Team 829 The Digital Goats also took home the Inspiration in Engineering Award;*

*Whereas, Team 829 Digital Goats are led by instructors Craig Harvey, David Griffin, and Jason Donkersloot; and*

*Whereas, Outstanding 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:*

SECTION 1. That the members of the Indiana House of Representatives congratulate Team 829 Digital Goats on their recent robotics state championship and wish them continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to each member and instructor from Team 829 Digital Goats.

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

Representative T. Brown, who had been present, is now excused.

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

**ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS**

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.1 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after April 15, 2017.

TORR, Chair

Report adopted.

HOUSE MOTION

Mr. Speaker: I move House Rule 161.1 be suspended so that the following conference committee reports are eligible for consideration after April 15, 2017.

TORR, Chair

Motion prevailed.

CONFERENCE COMMITTEE REPORT

ESB 248-1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 248 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-23-6-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 0.5. As used in this chapter, "subunit" refers to the geographic territory of a school corporation as the school corporation exists at the time the school corporation consolidates with one (1) or more other school corporations under section 12.5 of this chapter.**

SECTION 2. IC 20-23-6-2, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. The governing body of two (2) or more school corporations, whether:

- (1) towns;
- (2) cities;
- (3) townships;
- (4) joint schools; or
- (5) consolidated schools;

situated in the same or adjoining counties may, **in the manner and upon the conditions prescribed in this chapter, consolidate their respective school corporations or be required to consolidate their respective school corporations as provided under section 5.5 of this chapter. in the manner and upon the conditions prescribed in this chapter.**

SECTION 3. IC 20-23-6-3, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) If the governing bodies of at least two (2) school corporations desire to consolidate school corporations, the governing bodies may meet together and adopt a joint resolution declaring intention to consolidate school corporations. The resolution must set out the following information concerning the proposed consolidation:

- (1) The name of the proposed new school corporation.
- (2) The number of members on the governing body and the manner in which they shall be elected or appointed.

(A) If members are to be elected, the resolution must provide for:

- (i) the manner of the nomination of members;
- (ii) who shall constitute the board of election commissioners;
- (iii) who shall appoint inspectors, judges, clerks, and sheriffs; and
- (iv) any other provisions desirable in facilitating the election.

(B) Where applicable and not in conflict with the resolution, the election is governed by the general election laws of Indiana, including the registration laws.

(3) Limitations on residences, term of office, and other qualifications required of the members of the governing body. A resolution may not provide for an appointive or elective term of more than four (4) years. A member may succeed himself or herself in office.

(4) Names of present school corporations that are to be merged together as a consolidated school corporation.

In addition, the resolution may specify the time when the consolidated school corporation comes into existence.

(b) The number of members on the governing body as provided in the resolution may not be less than three (3) or more than seven (7). However, the joint resolution may provide for a board of nine (9) members if the proposed consolidated school corporation is formed out of two (2) or more school corporations that:

- (1) have entered into an interlocal agreement to construct and operate a joint high school; or
- (2) are operating a joint high school that has an enrollment of at least six hundred (600) in grades 9 through 12 at the time the joint resolution is adopted.

(c) The members of the governing body shall, after adopting a joint resolution, give notice by publication once each week for two (2) consecutive weeks in a newspaper of general circulation, if any, in each of the school corporations. If a newspaper is not published in the school corporation, publication shall be made in the nearest newspaper published in the county in which the school corporation is located. The governing bodies of school corporations shall ~~meet~~ **hold a public meeting** one (1) week following the date of the appearance of the last publication of notice of intention to consolidate. If a protest has not been filed, as provided in this chapter, the governing bodies shall declare by joint resolution the consolidation of the school corporations to be accomplished, to take effect as provided in section 8 of this chapter. However, on or before the sixth day following the last publication of the notice of intention to consolidate, twenty percent (20%) of the legal voters residing in any school corporation may petition the governing body of the school corporations for an election to determine whether or not the majority of the voters of the school corporation is in favor of consolidation.

SECTION 4. IC 20-23-6-5, AS AMENDED BY P.L.1-2006, SECTION 315, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) If a petition is filed in one (1) or more of the school corporations protesting consolidation as provided in this chapter by the legal voters of any school corporation the governing body of which proposes to consolidate, the governing body in each school corporation in which a protest petition is filed shall certify the public question to each county election board of the county in which the school corporation is located. The county election board shall call an election of the voters of the school corporation to determine if a majority of the legal voters of the corporation is in favor of consolidating the school corporations.

(b) If a protest is filed in more than one (1) school corporation, the elections shall be held on the same day. Each county election board shall give notice by publication once each week for two (2) consecutive weeks in a newspaper of general

circulation in the school corporation. If a newspaper is not published in the:

- (1) township;
- (2) town; or
- (3) city;

the notice shall be published in the nearest newspaper published in the county or counties, that on a day and at an hour to be named in the notice, the polls will be open at the usual voting places in the various precincts in the corporation for taking the vote of the legal voters upon whether the school corporation shall be consolidated with the other school corporations joining in the resolution.

(c) The public question shall be placed on the ballot in the form provided by IC 3-10-9-4 and must state: "Shall (insert name of school corporation) be consolidated with (insert names of other school corporations)?"

(d) Notice shall be given not later than thirty (30) days after the petition is filed. The election shall be held not less than ten (10) days or more than twenty (20) days after the last publication of the notice.

(e) The governing body of each school corporation in which an election is held is bound by the majority vote of those voting. However, if the election falls within a period of not more than six (6) months before a primary or general election, the election shall be held concurrently with the primary or general election.

(f) If a majority of those voting in any one (1) school corporation votes against the plan of consolidation, the plan fails. However, the failure does not prevent any or all the school corporations from taking further initial action for the consolidation of school corporations under this chapter.

(g) Whenever twenty percent (20%) of the legal voters residing in any school corporation, jointly with twenty percent (20%) of the legal voters in each of one (1) or more other school corporations:

- (1) prepare a resolution; and
- (2) petition the trustees of their respective school corporations to consolidate the school corporations, as set out in the resolution;

each governing body petitioned shall call the school election provided for in this chapter in its school corporations:

(h) Notice of the election shall be published within thirty (30) days after the filing of the resolution with the governing body of the school corporation where it is last filed. However, if any of the petitioned governing bodies agrees to the consolidation as set out in the resolution, an election in that school corporation may not be required under the resolution:

(i) Notice as set out in this section shall be given, and a protest requesting an election may be filed in conformity with section 3 of this chapter:

SECTION 5. IC 20-23-6-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 5.5. (a) If twenty percent (20%) of the legal voters residing in any school corporation jointly with twenty percent (20%) of the legal voters in each of one (1) or more other school corporations:**

- (1) prepare a resolution for a proposed consolidation that sets forth:
  - (A) subject to section 3(b) of this chapter, the information required in section 3(a)(1) through 3(a)(4) of this chapter; and
  - (B) if applicable, the declarations in section 12.5 of this chapter; and
- (2) petition the trustees of their respective school corporations to consolidate the school corporations, as set forth in the resolution;

each governing body petitioned shall hold, not later than sixty (60) days after the date the governing body receives the resolution and petition, a public meeting for discussion on the proposed consolidation.

(b) If any of the petitioned governing bodies agrees to the

proposed consolidation as set forth in the resolution, the governing body shall give notice by publication of its intention to adopt the resolution on the proposed consolidation once each week for two (2) consecutive weeks in a newspaper of general circulation, if any, in each of the school corporations. If a newspaper is not published in the school corporation, publication shall be made in the nearest newspaper published in the county in which the school corporation is located.

(c) On or before the sixth day following the last publication of the notice of intention to consolidate required under subsection (b), twenty percent (20%) of the legal voters residing in any school corporation proposed to be consolidated may petition the governing body of the school corporation for an election to determine whether or not the majority of the voters of the school corporation is in favor of consolidation.

(d) If a protest has not been filed under subsection (c), the governing bodies may declare by joint resolution the consolidation of the school corporations to be accomplished, to take effect as provided in section 8 of this chapter.

(e) Except as provided in subsection (b), if:

- (1) a resolution and petition for consolidation has not been withdrawn thirty (30) days after the date of the public meeting under subsection (a); or
- (2) a protest petition described in subsection (c) has been filed;

each governing body shall call an election in each school corporation included in the proposed consolidation in the same manner as described in sections 5 and 6 of this chapter.

(f) The governing body of each school corporation in which an election is held is bound by the majority vote of those voting. If a majority of those voting in any one (1) school corporation votes against the plan of consolidation, the plan fails. If a majority of the votes cast at each of the elections is in favor of the consolidation of two (2) or more school corporations, the trustees of the school corporations shall proceed to consolidate the schools and provide the necessary buildings and equipment. However, the failure does not prevent any or all the school corporations from taking further initial action for the consolidation of school corporations under this chapter.

SECTION 6. IC 20-23-6-8, AS AMENDED BY P.L.2-2006, SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 8. (a)** Consolidated schools are under the control and management of the consolidated governing body created under this chapter, and a new consolidated school corporation comes into existence:

- (1) at the time specified in the resolutions provided in section 3, or 4, 5.5, or 12.5 of this chapter; or
- (2) if a time is not specified, at the following times:
  - (A) If a protest has not been filed and the creation is accomplished by the adoption of a joint resolution following publication of notice as provided in section 3 or 5.5 of this chapter, thirty (30) days after the adoption of the joint resolution.
  - (B) If the creation is accomplished after an election as provided in section 6 of this chapter, thirty (30) days after the election.

(b) The members of the governing body shall:

- (1) take an oath to faithfully discharge the duties of office; and
- (2) meet at least five (5) days before the time the new consolidated school corporation comes into existence to organize.

(c) The governing body shall meet to reorganize on August 1 of each year and at any time the personnel of the board is changed, at the time provided in IC 20-26-4-1(b). At the organization or reorganization meeting, the members of the

governing body shall elect the following:

- (1) A president.
- (2) A secretary.
- (3) A treasurer.

(d) The treasurer, before starting the duties of the treasurer's office, shall execute a bond to the acceptance of the county auditor. The fee for the bond shall be paid from the school general fund of the consolidated school corporation. Any vacancy occurring in the membership in any governing body other than vacancy in the office of an ex officio member, shall be filled in the following manner:

(+) If the membership was originally made by appointment, the vacancy shall be filled by appointment by the legislative body of the:

- (A) city;
- (B) town;
- (C) township; or
- (D) other body;

or other official making the original appointment.

(2) If the membership was elected, the vacancy shall be filled by a majority vote of the remaining members of the governing body of the consolidated school corporation: shall be filled in the manner provided in IC 20-26-4-4.

(e) The members of the governing body other than the township executive or ex officio member, shall receive compensation for services as fixed by resolution of the governing body. The members, other than the township executive or any ex officio member, may not receive more than two hundred dollars (\$200) annually. Any:

- (+) township executive; or
- (2) ex officio member of the governing body;

shall serve without additional compensation: in the manner provided in IC 20-26-4-7.

(f) The governing body of a consolidated school corporation may elect and appoint personnel it considers necessary.

SECTION 7. IC 20-23-6-11, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. A governing body shall, after the members have taken their oath of office, cause a copy of the resolution to consolidate to be filed with the department of local government finance and the county recorder in the county in which the new school district is located. Any consolidated school district is declared to be and is made a school corporation for school purposes, separate and distinct from any civil corporation.

SECTION 8. IC 20-23-6-12.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12.5. (a) The governing body of two (2) or more school corporations situated in the same or adjoining counties may:

- (1) consolidate; or
- (2) be required to consolidate under section 5.5 of this chapter;

their respective school corporations under the conditions prescribed in this section. A school corporation that consolidates with one (1) or more school corporations as prescribed under this section is considered a subunit of the consolidated school corporation.

(b) A resolution for consolidation under this section must include:

- (1) subject to section 3(b) of this chapter, the information required in section 3(a)(1) through 3(a)(4) of this chapter; and
- (2) a declaration that debts or obligations paid by a debt service levy under IC 20-40-9 incurred by a subunit before the consolidated school corporation comes into existence may be levied only on the taxpayers of the subunit that initially incurred the debts or obligations.

(c) A resolution for consolidation under this section may

include any declarations concerning the proposed consolidation that are otherwise permitted under this chapter, including the following:

(1) A declaration that the name or attendance area of each school within a subunit may remain unchanged after the date on which the consolidated school corporation comes into existence.

(2) A declaration that the administrative functions of each subunit will be consolidated in the proposed consolidated school corporation.

(d) All debts of the former school corporations shall be assumed and paid by the new consolidated school corporation. However, a debt service levy under IC 20-46-7 for debts and obligations incurred by a school corporation before the date the school corporation consolidates under this chapter may be levied only in the subunit of the consolidated school corporation that initially incurred the debt or obligation, unless otherwise provided in the resolution.

(e) All debts and obligations incurred by the consolidated school corporation after the date on which the consolidation becomes effective are considered a debt or obligation of the consolidated school corporation as a whole.

(f) This subsection applies to a consolidation under this section. Upon receipt of the resolution to consolidate under section 11 of this chapter, the department of local government finance shall set for the consolidated school corporation:

(1) new maximum levies under IC 20-46-4 and IC 20-46-5, which must equal the sum of the existing maximum levies adjusted for assessed value growth; and

(2) a new maximum rate under IC 20-46-6, which equals an amount determined as follows:

STEP ONE: Determine the maximum amount that may be levied under each subunit's maximum capital projects fund tax rate.

STEP TWO: Determine the sum of the STEP ONE amounts.

STEP THREE: Determine the sum of the certified net assessed values for the subunits.

STEP FOUR: Divide the STEP TWO amount by the STEP THREE amount.

STEP FIVE: Determine the product (rounded to the nearest ten-thousandth (0.0001)) of:

- (i) the STEP FOUR amount; multiplied by
- (ii) one hundred (100).

(g) A consolidation under this section is subject to all other provisions of this chapter to the extent the provisions are not inconsistent with and do not conflict with this section. If there is a conflict between any provision in this chapter and a provision in this section, this section governs.

SECTION 9. IC 20-46-7-4, AS ADDED BY P.L.2-2006, SECTION 169, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) The governing body of each school corporation shall establish a levy in every calendar year sufficient to pay all obligations.

(b) This subsection applies to a school corporation that consolidates under IC 20-23-6-12.5. The governing body shall establish a levy for each subunit (as defined in IC 20-23-6-0.5) in each calendar year sufficient to pay the debts and obligations that the particular subunit incurred before consolidating with one (1) or more school corporations under IC 20-23-6-12.5.

(Reference is to ESB 248 as reprinted March 17, 2017.)

RAATZ	HUSTON
MELTON	DELANEY
Senate Conferees	House Conferees

Roll Call 501: yeas 85, nays 6. Report adopted.

The House recessed until the fall of the gavel.

## RECESS

The House reconvened at 2:15 p.m. with the Speaker in the Chair.

Upon request of Representative C. Brown, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 502: 67 present. The Speaker declared a quorum present.

## ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.1 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after April 15, 2017; we further recommend that House Rule 163.1 be suspended so that the following conference committee reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action: Engrossed House Bill 1031.1.

TORR, Chair

Report adopted.

### HOUSE MOTION

Mr. Speaker: I move House Rule 161.1 be suspended so that the following conference committee reports are eligible for consideration after April 15, 2017, and that House Rule 163.1 be suspended so that the following conference committee reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action: Engrossed House Bill 1031.1.

TORR, Chair

Motion prevailed.

Representatives Ziemke, Summers, Behning and Wesco, who had been excused, are now present.

Representative Moed, Porter and Shackleford, who had been present, are now excused.

### CONFERENCE COMMITTEE REPORT

#### EHB 1031.1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1031 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 5-11-5-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1.5. (a) As used in this section, "audited entity" includes only the following:

- (1) A state agency (as defined in IC 4-13-1-1).
  - (2) A public hospital.
  - (3) A municipality.
  - (4) A body corporate and politic.
  - (5) A state educational institution.
  - (6) An entity to the extent that the entity is required to be examined under IC 5-11-1-9 or another law.
- (b) If an examination report contains a finding that an

audited entity failed to observe a uniform compliance guideline established under IC 5-11-1-24(a) or to comply with a specific law, the audited entity shall take action to address the audit finding.

(c) If a subsequent examination report of the audited entity contains a finding that is the same as or substantially similar to the finding contained in the previous examination report described in subsection (b), the public officer of the audited entity shall file a corrective action plan as a written response to the report under section 1(b) of this chapter.

(d) The state board of accounts shall create guidelines for use by an audited entity to establish a corrective action plan described in subsection (c). The guidelines must include a requirement that the issue that is the subject of a finding described in subsection (c) must be corrected not later than six (6) months after the date on which the corrective action plan is filed.

(e) After the successful completion of a corrective action plan by an audited entity that was required to file a corrective action plan under subsection (c), the audited entity shall notify the state board of accounts. The state board of accounts shall review each corrective action plan. If a corrective action plan is not implemented or the issue that is the subject of the finding is not corrected within six (6) months, the state board of accounts shall prepare a memorandum summarizing:

- (1) the examination report finding;
- (2) the corrective action plan;
- (3) the manner by which the examination report finding was or was not addressed; and
- (4) a recommended course of action.

(f) The state board of accounts shall present to the audit committee established by IC 2-5-1.1-6.3 a memorandum described in subsection (e). If the audit committee determines that further action should be taken, the audit committee may do any of the following:

- (1) Request a written statement from the public officer of the audited entity.
- (2) Request the personal attendance of the public officer of the audited entity at the next audit committee meeting.
- (3) Request that the public officer of the audited entity take corrective action.
- (4) Notify the:
  - (A) office of management and budget (in the case of an audited entity that is a state agency, a body corporate and politic, or a state educational institution); or
  - (B) officer or chief executive officer, legislative body, and fiscal body of the audited entity and the department of local government finance (in the case of any other audited entity);

that the audited entity refused to correct the audited entity's failure to observe a uniform compliance guideline established under IC 5-11-1-24(a), or refused to comply with a specific law, with notice of the recommendation described in subsection (e)(4) published on the general assembly's Internet web site.

(5) Refer the facts drawn from the examination and the actions taken under this section for investigation and prosecution of a violation of IC 5-11-1-10 or IC 5-11-1-21 to the:

- (A) inspector general, in the case of an audited entity that is a state agency, a body corporate and politic, or a state educational institution; or
  - (B) prosecuting attorney of the county in which a violation of IC 5-11-1-10 or IC 5-11-1-21 may have been committed, in the case of any other audited entity;
- with notice of the referral published on the general assembly's Internet web site. Notice of a referral

described in clause (B) must be sent to the officer or chief executive officer, legislative body, and fiscal body of the audited entity.

(6) Recommend that legislation be introduced in the general assembly to amend any statute under which the audited entity is found to be noncompliant.

(7) Recommend that the state board of accounts examine the audited entity within the calendar year following the year in which the audited entity was required to file a corrective action plan under subsection (c).

(Reference is to EHB 1031 as printed March 22, 2017.)

SLAGER NIEMEYER  
STEMLER STOOPS  
House Conferees Senate Conferees

Roll Call 503: yeas 89, nays 2. Report adopted.

Representatives Bauer, T. Brown, Porter, Shackelford and Smaltz, who had been excused, are now present.

**MOTIONS TO CONCUR  
IN SENATE AMENDMENTS**

HOUSE MOTION

Mr. Speaker: I move that the House reconsider its actions whereby it dissented from the Senate amendments to Engrossed House Bill 1286 and that the House now concur in the Senate amendments to said bill.

SLAGER

Roll Call 504: yeas 96, nays 0. Motion prevailed.

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

HOUSE MOTION

Mr. Speaker: I move that the House reconsider its actions whereby it dissented from the Senate amendments to Engrossed House Bill 1133 and that the House now concur in the Senate amendments to said bill.

LEHMAN

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 46, I request to be excused from voting on the question of House Bill 1133. Pursuant to House Rule 168, the reason for the request is the following:

I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. I anticipate that I will be impacted by the reporting requirements for "facilitators".

AUSTIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 46, I request to be excused from voting on the question of House Bill 1133. Pursuant to House Rule 168, the reason for the request is the following:

I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. I anticipate that I will be impacted by the reporting requirements for "facilitators".

MOED

Motion prevailed.

Roll Call 505: yeas 50, nays 46. Motion failed for a lack of constitutional majority.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, April 20, 2017, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

**ENROLLED ACTS SIGNED**

The Speaker announced that he had signed House Enrolled Acts 1053, 1069, 1084, 1091, 1095, 1101, 1104, 1117, 1119, 1122, 1145, 1157, 1171, 1200, 1211, 1234, 1235, 1237, 1260, 1273, 1318, 1336, 1337, 1349, 1421, 1430, 1439, 1444, 1447, 1449, 1471, 1492, 1511, 1516, 1526, 1539, 1571, 1601 and 1617 on April 19.

**ENROLLED ACTS SIGNED**

The Speaker announced that he had signed Senate Enrolled Acts 20, 30, 38, 51, 60, 90, 105, 112, 119, 182, 191, 231, 242, 243, 279, 283, 293, 299, 303, 309, 310, 322, 332, 346, 348, 355, 366, 404, 409, 423, 449, 457, 466, 472, 479, 497, 498, 499, 504, 505, 539, 558 and Senate Joint Resolution 7 on April 19.

**OTHER BUSINESS ON THE SPEAKER'S TABLE**

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 128:

Conferees: Messmer, Chairman; and Melton  
Advisors: Kenley, Niezgodski and Crider

JENNIFER L. MERTZ  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has accepted and approved the Joint Rule 20 correction on Engrossed House Bill 1521.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has accepted and approved the Joint Rule 20 correction on Engrossed House Bill 1555.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

On the motion of Representative V. Smith, the House adjourned at 3:03 p.m., this nineteenth day of April, 2017, until Thursday, April 20, 2017, at 10:00 a.m.

BRIAN C. BOSMA  
Speaker of the House of Representatives

M. CAROLINE SPOTTS  
Principal Clerk of the House of Representatives