



# Journal of the Senate

State of Indiana

122nd General Assembly

Second Regular Session

Nineteenth Meeting Day

Tuesday Afternoon

February 15, 2022

The Senate convened at 2:26 p.m., with the President Pro Tempore of the Senate, Rodric D. Bray, in the Chair.

Prayer was offered by Senator Travis L. Holdman.

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

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

Alting	Griffin
Baldwin	Holdman
Bassler	Koch
Becker	Kruse
Boehnlein	Lanane <input checked="" type="checkbox"/>
Bohacek	Leising
Boots	Melton <input checked="" type="checkbox"/>
Bray	Messmer
Breaux <input checked="" type="checkbox"/>	Mishler
Brown, L.	Niemeyer
Buchanan	Niezegodski
Buck	Perfect
Busch	Pol
Byrne	Qaddoura
Charbonneau	Raatz
Crane	Randolph, Lonnie M.
Crider	Rogers
Donato	Sandlin
Doriot	Taylor, G.
Ford, J.D.	Tomes
Ford, Jon	Walker, G.
Freeman	Walker, K.
Garten	Yoder
Gaskill	Young, M.
Glick	Zay

Roll Call 198: present 47; excused 3. [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.

## RESOLUTIONS ON FIRST READING

### Senate Resolution 38

Senate Resolution 38, introduced by Senator Pol:

A SENATE RESOLUTION urging the Legislative Council to assign to the appropriate study committee the topics of the qualifications, training, certification, and available workforce for local veteran service officers in the state of Indiana, including the

prospect of creating multi-county offices.

*Whereas, The Indiana Department of Veterans Affairs aims to assist Hoosier veterans with the transfer to civilian life by locating apprenticeships and on-the-job training opportunities;*

*Whereas, Workforce Development Offices across the state are crucial in helping veterans find employment opportunities;*

*Whereas, The Disabled Veterans' Outreach Program specializes in job placement and job tailoring for veterans with service-related disabilities;*

*Whereas, The state of Indiana is home to roughly 550,000 veterans;*

*Whereas, The state of Indiana spends approximately \$130,000 on veteran education and vocational opportunities annually;*

*Whereas, The state of Indiana is obligated to provide its veterans with opportunities that help the transition to civilian life; and*

*Whereas, In order to fulfill the obligation to provide veterans with opportunities, the members of the Indiana General Assembly must have current and thorough information on the qualifications, training, certification, and available workforce for local veteran service officers, and the prospect of multi-county offices: Therefore,*

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

SECTION 1. That the Indiana State Senate urges the Legislative Council to assign to the appropriate study committee the topics of the qualifications, training, certification, and available workforce for local veteran service officers in the state of Indiana, including the prospect of creating multi-county offices.

The resolution was read in full and referred to the Committee on Veterans Affairs and The Military.

### Senate Resolution 41

Senate Resolution 41, introduced by Senator Pol:

A SENATE RESOLUTION urging the legislative council to assign to the appropriate study committee issues related to educational support professionals.

*Whereas, An "educational support professional" can be defined as an individual who is employed by a school corporation in transportation services, food services, paraeducator services, custodial and maintenance services, clerical and administrative services, technical services, or skilled trade services;*

*Whereas, Educational support professionals are vital to the operation of Indiana's school corporations and charter schools;*

*Whereas, The study of educational support professionals' wage levels, benefits, number of individuals employed, number of vacancies, daily and weekly hours, and scope of responsibilities should be undertaken to better understand the nature of these occupations;*

*Whereas, Concern for educational support professionals is a pertinent issue, as several school corporations have struggled with overwhelming vacancies in these areas;*

*Whereas, Indiana has a responsibility to guarantee the best possible education for the next generation of Hoosiers, as Indiana's social, economic, and professional future depends, in large part, on the quality of education within the state; and*

*Whereas, In order to fulfill this obligation to provide quality education in Indiana, the Indiana General Assembly must have current and thorough information on all facets of their school systems and remain cognizant of issues facing the education system in Indiana: Therefore,*

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

SECTION 1. That the Indiana State Senate urges the legislative council to assign to the appropriate study committee issues related to educational support professionals.

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

### **House Concurrent Resolution 6**

House Concurrent Resolution 6, sponsored by Senators Buck and Tomes:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename the bridge on I-65 over the Wabash River as the "Captain Ronald D. Gutwein Memorial Bridge".

*Whereas, Captain Ronald D. Gutwein was born and raised in Francesville, Indiana, and graduated from Francesville High School;*

*Whereas, Captain Gutwein, after graduation from Moody Bible Institute, enlisted in the United States Army as a private*

*and worked his way up to the rank of captain. After graduating from U.S. Army flight training, he was assigned to Company B, 229th Aviation Assault Helicopter Battalion;*

*Whereas, On April 19, 1968, Warrant Officer Gutwein, while serving as flight leader, distinguished himself with exceptionally valorous action on a combat mission in the A Shau Valley, Republic of Vietnam. While participating in the movement of infantry units into enemy controlled territory, Warrant Officer Gutwein exposed himself to intense, hostile fire time after time as he flew numerous sorties to deliver essential troops for the successful completion of his unit's mission. His courage and bravery were in keeping with the highest traditions of the military service and reflected great credit upon himself, his unit, and his country. For this he was awarded the Silver Star Medal;*

*Whereas, Warrant Officer Gutwein was awarded a second Silver Star while serving as aircraft commander of a UH-1H Huey helicopter in the Republic of Vietnam. When informed that a Special Forces reconnaissance team was surrounded by a large enemy force and needed immediate, emergency extraction from the jungle using a forest penetrator hoist, Warrant Officer Gutwein took off in hazardous conditions and flew to the team's location using primitive radio navigation. Having used significant time and fuel to pinpoint the Special Forces' location, Warrant Officer Gutwein, at great personal risk, elected to land at an enemy airstrip to collect the team and bring them to safety;*

*Whereas, Warrant Officer Gutwein was awarded the Distinguished Flying Cross while serving as a pilot of a UH-1H Huey at Dak To for service above and beyond the call of duty. During an emergency combat supply mission to an embattled unit, Warrant Officer Gutwein's ship came under intense, hostile fire. Disregarding his own personal safety, he made a vertical approach through 150-foot trees. He successfully completed his resupply mission and evacuated multiple wounded men to the medical aid station from the landing zone;*

*Whereas, Warrant Officer Gutwein received the Purple Heart for wounds received during combat. He was subsequently awarded the Bronze Star and numerous Air Medals;*

*Whereas, Warrant Officer Gutwein was direct commissioned a first lieutenant for his exemplary military service record, promoted to captain shortly thereafter, and then returned to Vietnam for a second tour in the combat zone;*

*Whereas, In his second Vietnam tour he was awarded three more Bronze Stars, two Army Commendation Medals, and he was nominated for the Distinguished Service Medal, the second highest decoration the United States of America awards for heroism;*

*Whereas, Captain Ronald D. Gutwein left the Army but continued to serve his country in the Middle East as an aviation safety consultant to U.S. allies; and*

*Whereas, Civilian pilot Gutwein continued to serve people by flying medivac missions for the Mayo Clinic in Minnesota until his untimely death: 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 urges the Indiana Department of Transportation to rename the bridge on I-65 over the Wabash River as the "Captain Ronald D. Gutwein Memorial Bridge".

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Edmond Soliday and the Commissioner of the Indiana Department of Transportation.

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

### House Concurrent Resolution 18

House Concurrent Resolution 18, sponsored by Senator Alting:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename a portion of road after Second Lieutenant Harry J. Michael.

*Whereas, Harry J. Michael was a lifelong Hoosier born on March 13, 1922, in Benton, Indiana, and grew up a farm boy in Milford;*

*Whereas, Harry went on to study agriculture at Purdue University, where he was called from his education to serve in the United States Army and put the needs of the nation first;*

*Whereas, Second Lieutenant Michael is the only Purdue student or faculty member awarded the Congressional Medal of Honor;*

*Whereas, Second Lieutenant Michael was killed in the line of duty while serving in Company L, 3rd Battalion, 318th Infantry Regiment, 80th Infantry Division during World War II;*

*Whereas, Second Lieutenant Michael served as a rifle platoon leader when his company began an assault on a wooded ridge northeast of the village of Neiderzorf, Germany, on March 13, 1945;*

*Whereas, Second Lieutenant Michael, at the head of his platoon, heard the click of an enemy machine gun bolt and halted his company before moving into the woods and discovering two enemy machine gun crews;*

*Whereas, Second Lieutenant Michael caught the enemy by surprise when he executed a sudden charge, leading to the capture of both guns and crews;*

*Whereas, Second Lieutenant Michael's actions continued the next day when he led his platoon at daybreak in a flanking movement on the enemy's position. Bitter fighting led to the capture of 25 members of an SS mountain division, three artillery pieces, and 20 horses;*

*Whereas, Second Lieutenant Michael fought bravely, making two personal reconnaissance missions of the woods on his left flank, where he killed two, wounded four, and captured 13 enemy soldiers before leading his platoon in a successful assault on a line of enemy pillboxes, capturing the objective, killing 10 enemies and capturing 30 additional prisoners;*

*Whereas, Second Lieutenant Michael was shot and killed while investigating sniper fire directed at his company the next morning; and*

*Whereas, It is fitting that the Indiana General Assembly recognize the heroic actions of Second Lieutenant Harry J. Michael as a Hoosier and a soldier in the U.S. Army: 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 remembers the heroic actions of Second Lieutenant Harry J. Michael.

SECTION 2. That the Indiana General Assembly urges the Indiana Department of Transportation to rename a portion of U.S. Highway 231 from Lindberg Road to the intersection of U.S. 52 and Sagamore Parkway West in West Lafayette, Indiana, the "Harry J. Michael Memorial Highway".

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Commissioner of the Indiana Department of Transportation, the Tippecanoe County Veterans Council, and the office of State Representative Chris Campbell.

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

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill 1034, 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, after line 7, begin a new paragraph and insert:

"SECTION 2. IC 36-7-25-7, AS ADDED BY P.L.182-2009(ss), SECTION 513, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 7. (a) As used in this section, "eligible entity" means a person whose principal functions include the provision of:

- (1) educational programs;
- (2) work training programs;
- (3) worker retraining programs; **or**

**(4) marketing and advertising of land located in an allocation area; or**~~(4)~~ **(5)** any other programs;

designed to prepare individuals to participate in the competitive and global economy.

(b) After making the findings set forth in subsection (c), a commission, or two (2) or more commissions acting jointly, may contract with an eligible entity to provide:

- (1) educational programs;
- (2) work training programs;
- (3) worker retraining programs; ~~or~~

**(4) marketing and advertising of land located in an allocation area; or**~~(4)~~ **(5)** any other programs;

designed to prepare individuals to participate in the competitive and global economy.

(c) Before a commission may contract for a program described in subsection (b), the commission must find that the program will promote the redevelopment and economic development of the unit, is of utility and benefit, and is in the best interests of the unit's residents.

(d) Except as provided in subsection (e), a commission may use any revenues legally available to the commission to fund a program described in subsection (b).

(e) A commission may not spend:

- (1) bond proceeds; or
- (2) more than fifteen percent (15%) of the allocated tax proceeds it receives on an annual basis;

to fund a program described in subsection (b). **However, of the amount available under subdivision (2), not more than seven and one-half percent (7.5%) of that amount may be used for a use described in subsection (b)(4).**"

(Reference is to HB 1034 as printed January 18, 2022.)  
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 Tax and Fiscal Policy, to which was referred Engrossed House Bill 1045, 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, delete lines 37 through 42.

Page 4, delete line 1.

(Reference is to HB 1045 as printed January 10, 2022.)  
and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

HOLDMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Engrossed House Bill 1167, 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 21 and 22, begin a new paragraph and insert:

"SECTION 6. IC 9-17-5-6, AS ADDED BY P.L.81-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) As used in this section, "qualified service provider" means a person able to provide electronic lien or electronic title services in coordination with vehicle lienholders and state departments of motor vehicles.

(b) As used in this section, "qualified vendor" refers to a person with whom the bureau contracts to:

- (1) develop;
- (2) implement; and
- (3) provide ongoing support with respect to;

a statewide electronic lien and title system under this section.

(c) As used in this section, "statewide electronic lien and title system" or "system" means a statewide electronic lien and title system implemented by the bureau under this section to process:

- (1) vehicle titles;
- (2) certificate of title data in which a lien is notated; and
- (3) the notification, maintenance, and release of security interests in vehicles;

through electronic means instead of paper documents.

(d) Not later than the dates set forth in subsection (h), the bureau shall implement a statewide electronic lien and title system for the following purposes:

- (1) To facilitate and promote commerce and governmental transactions by validating and authorizing the use of electronic records.
- (2) To modernize the law and eliminate barriers to electronic commerce and governmental transactions resulting from uncertainties related to handwritten and other written materials.
- (3) To promote uniformity of the law among the states relating to the use of electronic and similar technological means of effecting and performing commercial and governmental transactions.
- (4) To promote public confidence in the validity, integrity, and reliability of electronic commerce and governmental transactions.
- (5) To promote the development of the legal and business infrastructure necessary to implement electronic commerce and governmental transactions.

(e) The bureau may:

- (1) contract with one (1) or more qualified vendors to develop and implement a statewide electronic lien and title system; or
- (2) develop and make available to qualified service providers a well defined set of information services that will enable secure access to the data and internal application components necessary to facilitate the creation of a statewide electronic lien and title system.

(f) If the bureau elects under subsection (e)(1) to contract with one (1) or more qualified vendors to develop and implement a statewide electronic lien and title system, the following apply:

- (1) The bureau shall issue a competitive request for

proposals to assess the qualifications of any vendor seeking to develop, implement, and provide ongoing support for the system. The bureau may reserve the right to receive input concerning specifications for the establishment and operation of the system from parties that do not respond to the bureau's request for proposals.

(2) A contract entered into between the bureau and a qualified vendor may not provide for any costs or charges payable by the bureau to the qualified vendor. The qualified vendor shall reimburse the bureau for any reasonable and documented costs incurred by the bureau and directly associated with the development, implementation, or ongoing support of the system.

(3) Upon implementing a statewide electronic lien and title system under this section, the qualified vendor may charge participating lienholders or their agents a fee for each lien notification transaction provided through the system, in order to recover the qualified vendor's costs associated with the development, implementation, and ongoing administration of the system. A lien notification fee under this subdivision must be consistent with market pricing and may not exceed three dollars and fifty cents (\$3.50). The qualified vendor may not charge lienholders or their agents any additional fee for lien releases, assignments, or transfers. The qualified vendor may not charge a fee under this subdivision to a state agency or its agents for lien notification, lien release, lien assignment, or lien transfer. To recover their costs associated with the lien, participating lienholders or their agents may charge:

- (A) the borrower in a vehicle loan; or
- (B) the lessee in a vehicle lease;

an amount equal to any lien notification fee imposed by the qualified vendor under this subdivision, plus a fee in an amount not to exceed three dollars (\$3) for each electronic transaction in which a lien is notated.

(4) A qualified vendor may also serve as a qualified service provider to motor vehicle lienholders if the following conditions are met:

- (A) The contract between the bureau and the qualified vendor must include provisions specifically prohibiting the qualified vendor from using information concerning vehicle titles for any commercial, marketing, business, or other purpose not specifically contemplated by this chapter.
- (B) The contract between the bureau and the qualified vendor must include an acknowledgment by the qualified vendor that the qualified vendor is required to enter into agreements to exchange electronic lien data with any:
  - (i) qualified service providers that offer electronic lien or title services in Indiana and that have been approved by the bureau for participation in the system; and
  - (ii) qualified service providers that are not qualified vendors.
- (C) The bureau must periodically monitor the fees charged by a qualified vendor that also:

- (i) serves as a qualified service provider to lienholders; or
- (ii) provides services as a qualified vendor to other qualified service providers;

to ensure that the qualified vendor is not engaging in predatory pricing.

(g) If the bureau elects under subsection (e)(2) to develop an interface to provide qualified service providers secure access to data to facilitate the creation of a statewide electronic lien and title system, the following apply:

(1) The bureau shall establish:

- (A) the total cost to develop the statewide electronic lien and title system by July 1, ~~2021~~; **2022**;
- (B) qualifications for third party service providers offering electronic lien services; and
- (C) a qualification process to:
  - (i) evaluate electronic lien and title system technologies developed by third party service providers; and
  - (ii) determine whether such technologies comply with defined security and platform standards.

(2) Not later than ~~February~~ **July 1, 2022**, the bureau shall publish on the bureau's Internet web site the qualifications established by the bureau under subdivision (1). A third party service provider that seeks to become qualified by the bureau under this subsection must demonstrate the service provider's qualifications, in the form and manner specified by the bureau, not later than thirty (30) days after the date of the bureau's publication under this subdivision. After the elapse of the thirty (30) day period during which third party service providers may respond to the bureau's publication under this subdivision, the bureau shall notify each responding third party service provider as to:

- (A) the total cost to develop the system, as determined by the bureau under subdivision (1); and**
- (B) whether the third party service provider has met the qualifications established by the bureau under subdivision (1) and is approved to participate in the statewide electronic lien and title system.**

(3) Not later than thirty (30) days after receiving a notice of approval from the bureau under subdivision (2), each qualified service provider shall ~~remit to the bureau a payment in an amount equal to the total development costs of the system divided by the total number of qualified service providers participating in the system; notify the bureau of the qualified service provider's intention to participate in the statewide electronic lien and title system.~~

~~(4) If a third party service provider that did not:~~

- ~~(A) submit proof of its qualifications under subdivision (2); or~~
- ~~(B) pay initial development costs under subdivision (3);~~

~~later wishes to participate in the system; the third party service provider may apply to the bureau to participate in the system. The bureau shall allow the third party service provider to participate in the system if the third party service provider meets the qualifications established by the~~

bureau under subdivision (1) and pays to the department the third party service provider's proportional share of the system development costs:

(5) Each qualified service provider shall remit to the bureau, on a date prescribed by the bureau, an annual fee established by the bureau and not to exceed three thousand dollars (\$3,000), to be used for the operation and maintenance of the system:

(4) Upon implementing a statewide electronic lien and title system under this section, the bureau may charge participating service providers or their agents a fee for each lien transaction provided through the system in order to recover the bureau's costs associated with the development, implementation, and ongoing administration of the system. A fee under this subdivision must be consistent with market pricing and may not exceed three dollars and twenty-five cents (\$3.25). A fee collected under this subdivision shall be deposited in the commission fund. Fees collected by the bureau for the implementation of a statewide electronic lien and title system are limited to those contained in this subdivision. This subdivision expires July 1, 2025.

(6) (5) A contract entered into between the bureau and a qualified service provider may not provide for any costs or charges payable by the bureau to the qualified service provider.

(7) (6) Upon the implementation of a statewide electronic lien and title system under this section, a qualified service provider may charge participating lienholders or their agents transaction fees consistent with market pricing in addition to the fees described in subdivision 4. A fee under this subdivision may not be charged to a state agency or its agents for lien notification, lien release, lien assignment, or lien transfer. To recover their costs associated with a lien, participating lienholders or their agents may charge:

(A) the borrower in a vehicle loan; or

(B) the lessee in a vehicle lease;

an amount equal to any fee imposed by a qualified service provider under this subdivision, plus a fee in an amount not to exceed three dollars (\$3) for each electronic transaction in which a lien is notated.

(8) (7) The contract between the bureau and a qualified service provider must include provisions specifically prohibiting the qualified service provider from using information concerning vehicle titles for any commercial, marketing, business, or other purpose not specifically contemplated by this chapter.

(h) Subject to subsection (i), the bureau shall implement, and allow or require the use of, a statewide electronic lien and title system under this section as follows:

(1) A statewide electronic lien system that is capable of processing:

(A) certificate of title data in which a lien is notated; and

(B) the notification, maintenance, and release of security interests in vehicles;

through electronic means must be made available for

voluntary use by vehicle lienholders not later than February 1, 2022.

(2) Subject to subsection (j)(5), the bureau shall require that the statewide electronic lien system made available under subdivision (1) be used for processing:

(A) certificate of title data in which a lien is notated; and

(B) the notification, maintenance, and release of security interests in vehicles;

after June 30, 2022: 2023.

(3) A statewide electronic title system capable of processing vehicle titles through electronic means must be made available for voluntary use by vehicle dealers, lienholders, and owners not later than July 1, 2022: 2025.

(4) The bureau shall require that the statewide electronic title system made available under subdivision (3) be used for processing vehicle titles after June 30, 2023: 2026.

(i) Subsection (h) does not prohibit the bureau or any:

(1) qualified vendor with whom the bureau contracts under subsection (f); or

(2) qualified service provider with whom the bureau contracts under subsection (g);

from implementing, making available, or requiring the use of a statewide electronic lien system described in subsection (h)(1) at the same time as, or in conjunction with, a statewide electronic title system described in subsection (h)(3), or from implementing, making available, or requiring the use of a statewide electronic lien system described in subsection (h)(1) or a statewide electronic title system described in subsection (h)(3) before the applicable dates otherwise set forth in subsection (h).

(j) The following apply to the use of a statewide electronic lien system described in subsection (h)(1):

(1) Notwithstanding section 5(b) of this chapter, if there are one (1) or more liens or encumbrances on a motor vehicle, the bureau may electronically transmit the lien to the first lienholder and notify the first lienholder of any additional liens. Subsequent lien satisfactions may be electronically transmitted to the bureau and must include the name and address of the person satisfying the lien.

(2) Whenever the electronic transmission of lien notifications and lien satisfactions is used, a certificate of title need not be issued until the last lien is satisfied and a clear certificate of title can be issued to the owner of the motor vehicle. The bureau may print or issue electronically the clear certificate of title to the owner or subsequent assignee of the motor vehicle.

(3) If a motor vehicle is subject to an electronic lien, the certificate of title for the motor vehicle is considered to be physically held by the lienholder for purposes of compliance with state or federal odometer disclosure requirements.

(4) A certified copy of the bureau's electronic record of a lien is admissible in any civil, criminal, or administrative proceeding in Indiana as evidence of the existence of the lien. If a certificate of title is maintained electronically in a statewide electronic title system described in subsection (h)(3), a certified copy of the bureau's electronic record of the certificate of title is admissible in any civil, criminal, or

administrative proceeding in Indiana as evidence of the existence and contents of the certificate of title.

(5) All individuals and lienholders who conduct at least twelve (12) lien transactions annually must use the statewide electronic lien and title system implemented under this section to record information concerning the perfection and release of a security interest in a vehicle.

(6) An electronic notice or release of a lien made through the statewide electronic lien and title system implemented under this section has the same force and effect as a notice or release of a lien made on a paper document.

(7) The bureau may convert an existing paper lien to an electronic lien upon request of the primary lienholder. The bureau, or a third party contracting with the bureau under this section, is authorized to collect a fee not to exceed three dollars (\$3) for each conversion performed under this subdivision. A fee under this subdivision may not be charged to a state agency or its agents.

(8) Notwithstanding section 5 of this chapter, any requirement that a security interest or other information appear on a certificate of title is satisfied by the inclusion of that information in an electronic file maintained in an electronic title system.

(k) Nothing in this section precludes the bureau from collecting a title fee for the preparation and issuance of a title.

(l) The bureau may adopt rules under IC 4-22-2 to implement this section, including emergency rules in the manner provided by IC 4-22-2-37.1. Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the bureau under this subsection and in the manner provided by IC 4-22-2-37.1 expires on the date on which a rule that supersedes the emergency rule is adopted by the bureau under IC 4-22-2-24 through IC 4-22-2-36."

Page 22, after line 2, begin a new paragraph and insert:  
"SECTION 31. **An emergency is declared for this act.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1167 as reprinted January 25, 2022.)  
and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 9, Nays 0.

CRIDER, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Engrossed House Bill 1359, 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 28, delete "are" and insert "is".

Page 3, line 22, delete "The" and insert "**Not later than July 1, 2023, the**".

Page 3, line 23, delete "data that" and insert "**data. The plan shall be submitted to the commission and the legislative council in an electronic format under IC 5-14-6. The plan shall**".

Page 3, line 24, delete "includes" and insert "**include**".

Page 3, line 25, delete "Provides" and insert "**Provide**".

Page 3, line 26, delete "Creates" and insert "**Create**".

Page 3, line 28, delete "Sets" and insert "**Set**".

Page 3, line 31, delete "Establishes" and insert "**Establish**".

Page 3, line 34, delete "Establishes" and insert "**Establish**".

Page 3, line 35, delete "Establishes" and insert "**Establish**".

Page 3, line 37, delete "Determines" and insert "**Determine**".

Page 3, line 39, delete "The" and insert "**Not later than July 1, 2023, the**".

Page 4, line 4, delete "decisions and using the tool to" and insert "**decisions,**".

Page 4, line 5, delete "inform such decisions,".

Page 4, line 8, delete "detention." and insert "**detention, while considering factors related to public safety and failure to appear for court.**".

Page 4, line 18, delete "research-based" and insert "**research based**".

Page 4, line 22, delete "The" and insert "**Not later than January 1, 2023, the**".

Page 4, line 23, delete "IC 31-40-5." and insert "**IC 31-40-5 to the commission and the legislative council in an electronic format under IC 5-14-6.**".

Page 4, delete lines 36 through 42.

Page 5, delete lines 1 through 3.

Page 7, line 4, delete "shall" and insert "**must**".

Page 7, line 5, after "of" insert "**a**".

Page 7, line 32, delete "failing to appear in court and the" and insert "**rearrest**".

Page 7, line 33, delete "child's public safety risk".

Page 9, line 10, delete "administered and the" and insert "**administered; and**".

Page 9, delete line 11.

Page 9, line 12, delete "override the results of the detention" and insert "**support the use of secure detention if the child does not score as high risk on the detention tool.**".

Page 9, delete line 13.

Page 9, line 16, delete "tool," and insert "**tool and other information determined by local policy,**".

Page 9, line 18, delete "override".

Page 9, line 19, delete "including the following:" and insert "**including:**".

Page 9, line 38, delete "evidence-based" and insert "**evidence based**".

Page 11, line 40, delete "detention tool did not indicate that" and insert "**child did not score as high risk on the detention tool; and**".

Page 11, delete line 41.

Page 12, line 2, after "(1)" insert "**local policies and procedures regarding**".

Page 12, line 8, after "governor," insert "**the**".

Page 13, between lines 24 and 25, begin a new line double block indented and insert:

**(D) refer the child to juvenile diversion as described in IC 31-37-8.5 and recommend that the child be referred for an assessment by the dual status assessment team as described in IC 31-41-1-5;**"

Page 13, line 25, delete "(D)" and insert "(E)".

Page 13, line 26, delete "(E)" and insert "(F)".

Page 13, line 29, delete "(F)" and insert "(G)".

Page 13, line 30, delete "(G)" and insert "(H)".

Page 14, between lines 10 and 11, begin a new line double block indented and insert:

**"(D) refer the child to juvenile diversion as described in IC 31-37-8.5 and recommend that the child be referred for an assessment by the dual status assessment team as described in IC 31-41-1-5;"**.

Page 14, line 11, delete "(D)" and insert "(E)".

Page 14, line 12, delete "(E)" and insert "(F)".

Page 14, line 15, delete "(F)" and insert "(G)".

Page 14, line 16, delete "(G)" and insert "(H)".

Page 14, line 23, after "chapter," insert **"under the policies on juvenile diversion established by the statewide juvenile justice oversight body described in IC 2-5-36-9.3,"**.

Page 14, line 24, delete "a person with authority or the person's".

Page 14, line 25, delete "designee" and insert **"the prosecutor"**.

Page 14, line 26, delete "individually".

Page 14, line 27, delete "designed services provided by".

Page 14, line 28, delete "organization, if necessary;" and insert **"organization for supervision and services, as necessary;"**.

Page 15, line 20, after "completion;" insert **"and"**.

Page 15, line 21, delete "and".

Page 15, delete line 22.

Page 16, line 3, delete "was" and insert **"is"**.

Page 16, line 16, after "governor," insert **"the"**.

Page 22, line 29, delete "2022]" and insert "2023]:".

Page 22, line 29, delete "A child" and insert **"Under the policies established by the statewide juvenile justice oversight body described in IC 2-5-36-9.3, a child"**.

Page 22, delete lines 33 through 42.

Page 23, delete lines 1 through 3.

Page 23, line 4, delete "(d)" and insert **"(b)"**.

Page 23, line 8, after "governor," insert **"the"**.

Page 23, line 12, delete "(e)" and insert **"(c)"**.

Page 23, line 12, delete "shall" and insert **"may"**.

Page 25, line 31, before "chief" insert **"the"**.

Renumber all SECTIONS consecutively.

(Reference is to HB 1359 as printed January 20, 2022.)

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

Committee Vote: Yeas 7, Nays 0.

ROGERS, Chair

Report adopted.

## REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Rule 32 of the Standing Rules and Orders of the Senate of the 122nd General Assembly, President Pro Tempore Rodric Bray hereby announces and reports the following amended committee, subcommittee, and chairperson appointments:

### Commerce and Technology

Senator Perfect, Chair	Senator Breaux, RMM
Senator Koch, RM	Senator Randolph
Senator Baldwin	Senator Yoder
Senator Byrne	
Senator Donato	
Senator Doriot	
Senator Leising	
Senator Zay	

### Elections

Senator Jon Ford, Chair	Senator J.D. Ford, RMM
Senator Rogers, RM	Senator Qaddoura
Senator Byrne	
Senator Crane	
Senator Donato	
Senator Koch	
Senator G. Walker	

### Family and Children Services

Senator Rogers, Chair	Senator J.D. Ford, RMM
Senator Jon Ford, RM	Senator Qaddoura
Senator Byrne	
Senator Crane	
Senator Donato	
Senator Koch	
Senator G. Walker	

### Homeland Security and Transportation

Senator Crider, Chair	Senator J.D. Ford, RMM
Senator Tomes, RM	Senator Griffin
Senator Boots	
Senator Byrne	
Senator Crane	
Senator Doriot	
Senator Garten	

### Utilities

Senator Koch, Chair	Senator Randolph, RMM
Senator Perfect, RM	Senator Breaux
Senator Baldwin	Senator Yoder
Senator Byrne	
Senator Donato	
Senator Doriot	
Senator Leising	
Senator Zay	

### Veterans Affairs and The Military

Senator Tomes, Chair	Senator J.D. Ford, RMM
Senator Crider, RM	Senator Griffin
Senator Boots	
Senator Byrne	
Senator Crane	
Senator Doriot	
Senator Garten	

BRAY



**RESOLUTIONS ON FIRST READING****Senate Resolution 3**

Senate Resolution 3, introduced by Senator Crane:

A SENATE RESOLUTION congratulating Dr. Patrick Biggerstaff for being named the National Association for Career and Technical Education Champion for career and technical education in 2021.

*Whereas, Career and technical education ("CTE") allows Hoosier students to develop the skills necessary for finding work in the type of meaningful, high-wage careers that add to the dynamism of Indiana's economy;*

*Whereas, The Association for Career and Technical Education (ACTE) is the nation's largest not-for-profit association committed to the advancement of CTE;*

*Whereas, ACTE gives the Champion for CTE Award to education leaders, business and industry executives, celebrities, and thought leaders who support and champion CTE programs as a vital part of developing a prepared, adaptable, and competitive workforce;*

*Whereas, Dr. Patrick Biggerstaff is the Director of Career and Technical Education at Area 31 Career Center, which has been recognized by the Indiana Department of Education as a STEM Certified School and as an exemplary early college by the Center of Excellence in Leadership of Learning (CELL) at the University of Indianapolis;*

*Whereas, In addition to his exemplary work at Area 31 Career Center, Dr. Biggerstaff has served on various committees for the Governor's Workforce Cabinet and is a past president of the Indiana Association for Career and Technical Education, where he served as a voice for CTE directors on multiple panels, and hosted an annual CTE Day at the State Capitol;*

*Whereas, On the global stage, Dr. Biggerstaff has twice been invited by the Center on the Economics and Management of Education and Training Systems (CEMETS) to participate in the CEMETS Institute in Zürich, Switzerland; and*

*Whereas, To celebrate and recognize his global, national, and state work in CTE, Dr. Biggerstaff has been named the ACTE Champion for CTE in 2021: Therefore,*

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

SECTION 1. That the Indiana Senate congratulates Dr. Patrick Biggerstaff for being named the ACTE Champion for CTE in 2021.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Dr. Patrick Biggerstaff.

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

Senator Bray yielded the gavel to Senator Mark B. Messmer.

**Senate Resolution 43**

Senate Resolution 43, introduced by Senators Bray and G. Taylor:

A SENATE RESOLUTION honoring Chuck Crabb upon his retirement from Indiana University.

*Whereas, Chuck Crabb, a 1969 graduate of Brazil High School and 1973 journalism graduate of Indiana University (IU), began working at Simon Skjodt Assembly Hall during the inaugural 1971-1972 basketball season;*

*Whereas, While in Bloomington, Chuck worked at the IU sports information office and then at the Bloomington Daily Herald-Telephone newspaper for four years;*

*Whereas, After graduating from IU in 1973, Chuck worked briefly as managing editor at The Brazil Times and for The Terre Haute Tribune while volunteering to assist with media relations during IU basketball games until he returned to Bloomington permanently in 1976 after being hired by IU's Varsity Club;*

*Whereas, In 1977, Chuck was hired to be the voice of IU Athletics following the retirement of Bert Laws from the position after 41 years;*

*Whereas, In his career, Chuck has been the announcer for more than 850 men's basketball games, 400 women's basketball games, football, women's soccer, women's track and field events, and the voice of the Little 500 for 42 years;*

*Whereas, Chuck was a staple during many of the major events taking place at Assembly Hall, including all 29 years coached by Bob Knight, when the Hoosiers won the Big Ten in overtime in 1980, the buzzer-beater against Kentucky in 2011, and the most recent win over Purdue University on January 20, 2022;*

*Whereas, Away from his duties at IU, Chuck was involved in marquee athletic events on the national and international stages, including as the interview room manager at the Main Press Center during the 1984 Olympic Games in Los Angeles, competition producer for track and field during the 1996 Olympic Games in Atlanta, public address announcer at the 1994 Men's World Cup and 1999 Women's World Cup, and assisting at track and field events for past Pan American Games, U.S. Sports Festivals, U.S. Olympic Festivals, U.S. National Track and Field Championships, and U.S. Track and Field Olympic Trials;*

*Whereas, In addition to his announcing duties, Chuck worked in a variety of areas and capacities throughout his career with IU athletics, most recently serving 32 years as the Associate Athletic Director for Facilities;*

*Whereas, Chuck's work responsibilities included facilities management, game day and external operations, marketing, fund-raising, event services, and assisting in operating IU's various spirit and competitive cheerleading squads, pom squad, and band;*

*Whereas, For his invaluable contributions to IU and the world of athletics, Chuck has been a recipient of the Jerry F. Tardy Pride of Indiana Award, the IU Foundation President's Medallion, and the Indiana University Bicentennial Medal;*

*Whereas, Chuck announced his retirement from being the public address announcer and Associate Athletic Director for Facilities on January 31, 2022, after 45 years of service;*

*Whereas, Upon his retirement, Chuck plans to spend more time with his wife of 44 years, Madeline, at their home in Englewood, Florida, but also plans to take a piece of Indiana University with him in his heart; and*

*Whereas, Chuck's love for the Cream and Crimson, effortless class, trademark catchphrases, and ability to say the most with the least will be greatly missed by the staff, students, alumni, and fans of Indiana University athletics: Therefore,*

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

SECTION 1. That the Indiana Senate honors Chuck Crabb upon his retirement from Indiana University and thanks him for being an integral part of the Indiana University game day environment for 45 years.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Chuck Crabb and his wife, Madeline.

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

Senator Messmer yielded the gavel to Senator Bray.

#### **Senate Resolution 42**

Senate Resolution 42, introduced by Senators J.D. Ford, G. Taylor, Melton, Breaux, Griffin, Niezgodski, Pol, Qaddoura, Lonnie M. Randolph, and Yoder:

A SENATE RESOLUTION honoring Senator Frank Mrvan for his service to the Indiana Senate.

*Whereas, Senator Mrvan has faithfully and honorably served the constituents of Senate District 1, encompassing portions of Lake County, for 39 years;*

*Whereas, Senator Mrvan served from 1978 to 1994, and again from 1998 to 2022;*

*Whereas, Senator Mrvan was an Airman 1st Class in the United States Air Force during the Korean War;*

*Whereas, Prior to his election to the State Senate, Senator Mrvan was the President of the City Council of Hammond for ten years;*

*Whereas, During his tenure, Senator Mrvan served on a variety of committees, including Local Government, Insurance, Homeland Security and Transportation, Veteran Affairs and The Military, Education and Career Development, Ethics, Health and Provider Services, Agriculture, Natural Resources, Tax and Fiscal Policy, Commerce, Economic Development, and Technology, and Financial Institutions;*

*Whereas, Senator Mrvan focused on improving the quality of life of veterans and protecting labor unions throughout his career;*

*Whereas, Some of Senator Mrvan's legislative accomplishments include strengthening protections for children, expanding veterans' benefits and employment, working to lower the tax burden on senior citizens, and passing legislation to make transportation safer and more efficient statewide;*

*Whereas, For his work in the Indiana State Senate, Senator Mrvan was awarded the Legislator of the Year Award by the Indiana School Counselor Association in 2019 and was named a Small Business Champion in 2011 by the Indiana Chamber of Commerce; and*

*Whereas, Senator Mrvan's career as a senator should be recognized for his legislative accomplishments and the impact he had on the state of Indiana: Therefore,*

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

SECTION 1. That the Indiana Senate honors Senator Frank Mrvan for his service to the Indiana Senate.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Senator Frank Mrvan.

3:23 p.m.

The Chair declared a recess until the fall of the gavel.

#### **RECESS**

The Senate reconvened at 3:33 p.m., with Senator Bray in the Chair.

The resolution was read in full and adopted by voice 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 85, 129, 158, 277, and 371 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 House Concurrent Resolutions 6, 18, 19, and 24 and the same are 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 Senate Concurrent Resolutions 12, 13, and 14 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS  
Principal Clerk of the House

**JOINT RESOLUTIONS  
ON SECOND READING**

**House Joint Resolution 3**

Senator Raatz called up House Joint Resolution 3 for second reading. The resolution was read a second time by title. There being no amendments, the resolution was ordered engrossed.

**ENGROSSED HOUSE BILLS  
ON THIRD READING**

**Engrossed House Bill 1144**

Senator M. Young called up Engrossed House Bill 1144 for third reading:

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

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

Roll Call 199: yeas 47, 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 1192**

Senator Charbonneau called up Engrossed House Bill 1192 for third reading:

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

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

Roll Call 200: yeas 47, 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 1205**

Senator Freeman called up Engrossed House Bill 1205 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

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

Roll Call 201: yeas 47, 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 1208**

Senator Freeman called up Engrossed House Bill 1208 for third reading:

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

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

Roll Call 202: yeas 47, 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 1248**

Senator Doriot called up Engrossed House Bill 1248 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

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

Roll Call 203: yeas 43, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

**Engrossed House Bill 1255**

Senator Charbonneau called up Engrossed House Bill 1255 for third reading:

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

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

Roll Call 204: yeas 47, 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 1283

Senator M. Young called up Engrossed House Bill 1283 for third reading:

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

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

Roll Call 205: yeas 46, 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 1291

Senator Crider called up Engrossed House Bill 1291 for third reading:

A BILL FOR AN ACT concerning health.

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

Roll Call 206: yeas 46, 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 1294

Senator Glick called up Engrossed House Bill 1294 for third reading:

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

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

Roll Call 207: yeas 46, 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 Senators Alting, Baldwin, Bassler, Becker, Boehnlein, Bohacek, Boots, Bray, L. Brown, Buchanan, Buck, Busch, Byrne, Charbonneau, Crane, Crider, Donato, Doriot, Jon Ford, Freeman, Garten, Gaskill, Glick, Holdman, Koch, Kruse, Lanane, Leising, Messmer, Mishler,

Niemeyer, Perfect, Raatz, Rogers, Sandlin, Tomes, G. Walker, K. Walker, M. Young, and Zay be added as coauthors of Senate Resolution 42.

J.D. FORD

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as cosponsor of Engrossed House Bill 1140.

BECKER

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senators Baldwin, Donato, Koch, Perfect, and Melton be added as cosponsors of Engrossed House Bill 1211.

GARTEN

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Donato be added as cosponsor of Engrossed House Bill 1217.

L. BROWN

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1255.

CHARBONNEAU

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Bohacek be added as cosponsor of Engrossed House Bill 1294.

GLICK

Motion prevailed.

#### SENATE MOTION

Madam President: I move that the Senate do now adjourn until 1:30 p.m., Thursday, February 17, 2022.

MESSMER

Motion prevailed.

The Senate adjourned at 4:02 p.m.

JENNIFER L. MERTZ  
Secretary of the Senate

SUZANNE CROUCH  
President of the Senate