



Journal of the House

State of Indiana

118th General Assembly

Second Regular Session

First Day

Tuesday Afternoon

November 19, 2013

The members of the House of Representatives of the One Hundred Eighteenth General Assembly of the State of Indiana assembled in the House Chambers in the State House in the City of Indianapolis on Tuesday, the nineteenth day of November, 2013, A.D., at 1:00 p.m., being the day fixed by law for the convening of the second regular session of the General Assembly, viz:

“...the second regular session of each term of the general assembly shall convene on the third Tuesday after the first Monday of November of each odd-numbered year...”

The invocation was offered by Pastor Dave Rodriguez of Grace Community Church in Noblesville, IN.

The House was called to order by Speaker Brian C. Bosma.

The Pledge of Allegiance to the Flag was led by Representative Scott D. Pelath.

FILLING VACANT LEGISLATIVE OFFICES

District 85

August 30, 2013

The Honorable Brian C. Bosma
Speaker of the House
Indiana House of Representatives
200 W. Washington St.
Indianapolis, IN 46204

Dear Speaker Bosma,

Due to the recent diagnosis of pulmonary fibrosis, I regret it will be necessary for me to resign effective October 15, 2013 from the Indiana House of Representatives.

Sincerely,

Phyllis J. Pond
State Representative

CERTIFICATION OF APPOINTMENT TO A VACANT STATE LEGISLATIVE OFFICE

TO THE HONORABLE BRIAN C. BOSMA
SPEAKER OF THE HOUSE OF REPRESENTATIVES:

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 85, on September 22, 2013, due to the death of the Honorable Phyllis Pond, who was elected to office as a candidate of the Indiana Republican Party. Representative Pond had previously submitted her written resignation effective October 15, 2013;

WHEREAS, The duly elected and acting state chairman of the Indiana Republican Party set the place, date and time of a

caucus comprised of the eligible precinct committeemen from Indiana House District 85 and sent a notice by first class mail to all precinct committeemen in the caucus at least ten (10) days before the date of the meeting setting forth the purpose, place, date and time of the meeting;

WHEREAS, The duly elected state chairman presided over the aforesaid caucus, which was conducted on October 8, 2013, this date being not later than thirty (30) days after the vacancy occurred;

WHEREAS, The caucus, voting by secret ballot, and a majority vote of those casting a vote for a candidate, selected an individual who resides within House District 85 to fill this vacancy;

WHEREAS, The individual selected to fill the aforesaid vacancy had filed a declaration of candidacy with the chairman of the caucus, and had previously filed a statement of economic interests under Indiana Code 2-2.1-3-2 with the Principal Clerk of the House of Representatives, at least seventy-two (72) hours before the time fixed for the caucus, all as required by Indiana Code 3-13-5-3;

WHEREAS, Under Indiana Code 3-13-5-6, the state chairman is required to certify the name of the individual selected under Indiana Code 3-13-5-1 to fill this vacancy to the Speaker of the House of Representatives; and

WHEREAS, Under Indiana Code 3-13-5-6, the Speaker of the House of Representatives is required to acknowledge receipt of this certification, submit a copy of the certificate to be included in the Journal of the House of Representatives on the day when the individual is seated, (or if this certificate is received after the adjournment *sine die* of the General Assembly, on the first day that the House of Representatives is in session following receipt of this certificate), and immediately forward the certificate to the Secretary of the State of Indiana: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING CHAIRMAN OF THE INDIANA REPUBLICAN STATE COMMITTEE,

- (1) I certify that Casey B. Cox was selected by the aforesaid caucus to fill the vacancy existing in the Office of Indiana House of Representatives, House District 85;
- (2) I request that the Speaker of the House of Representatives acknowledge receipt of this Certificate by his signature below as provided for by Indiana Code 3-13-5-6;
- (3) I request that the Speaker of the House of Representatives include a copy of this Certificate in the Journal of the House of Representatives as provided in Indiana Code 3-13-5-6; and
- (4) I request that this Certificate be immediately forwarded to the Secretary of State, as provided by Indiana Code 3-13-5-6.

CERTIFIED, THIS 9TH DAY OF OCTOBER, 2013:

TIM BERRY,
Indiana Republican State Chairman

ACKNOWLEDGMENT OF RECEIPT BY THE
SPEAKER OF THE HOUSE OF REPRESENTATIVES

I hereby acknowledge receipt of this Certificate by my signature below this 9th day of October, 2013.

Signed: Brian C. Bosma
Speaker of the Indiana House of Representatives

NOTIFICATION TO
SECRETARY OF STATE

October 9, 2013

The Honorable Connie Lawson
Indiana Secretary of State
201 State House
Indianapolis, IN 46204

Dear Secretary Lawson:

This is to officially notify you that this office has received from the Chair of the Indiana Republican Committee, a copy of the certification of the election of Casey B. Cox to represent State House District 85, filling the vacancy created by the death of Phyllis J. Pond. Representative Casey B. Cox was duly elected on October 8, 2013, in a caucus of precinct committee persons in District 85.

Sincerely,
Brian C. Bosma
Speaker of the House

CERTIFICATE OF SELECTION
TO STATE LEGISLATIVE OFFICE

TO THE HONORABLE BRIAN C. BOSMA
SPEAKER OF THE INDIANA
HOUSE OF REPRESENTATIVES

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 85, due to the death of the Honorable Phyllis J. Pond on September 22, 2013, who was elected to that office as a candidate of the Indiana Republican Party;

WHEREAS, On October 8, 2013, a caucus composed of Republican Party precinct committeemen from Indiana House District 85 selected Casey B. Cox to fill the vacancy in Indiana House District 85;

WHEREAS, Tim Berry, State Chairman of the Indiana Republican Party, certified the selection of Casey B. Cox to fill the vacancy in office of Indiana State Representative, District 85, to the Speaker of the House of Representatives and the Speaker of the House Representatives acknowledged receipt of the certification;

WHEREAS, The Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING INDIANA

SECRETARY OF STATE, I certify that the Honorable Casey B. Cox has been selected to fill the vacancy existing in the office of Indiana State Representative, District 85.

Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 10th day of October, 2013, being the 238th year of the Independence of the United States, and the 197th year of the Statehood of Indiana.

CONNIE LAWSON
Indiana Secretary of State

Representative-elect Casey B. Cox was sworn into office on October 15, 2013 by Brent E. Dickson, Chief Justice of Indiana. The oath of office is: "I, Casey B. Cox, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

Sworn before me, Brent E. Dickson, Chief Justice of Indiana, this 15th day of October, 2013.

District 33

October 25, 2013

The Honorable Brian C. Bosma
Speaker of the House
Indiana House of Representatives
200 W. Washington St.
Indianapolis, IN 46204

Dear Speaker Bosma,

Recently, I was offered the opportunity to serve our state as the Executive Director of the Office of Community and Rural Affairs by our Lieutenant Governor. However, in order to serve the state in this capacity, I must resign my seat as State Representative for House District 33, effective Sunday, November 3, 2013. My first day with the Lieutenant Governor's office will be Monday, November 4, 2013.

Serving with you and your colleagues has been one of the highlights of my career. Accepting the Lieutenant Governor's offer was not easy. But, this is an exciting new challenge and I am excited to begin a new chapter. I will miss all of the members of the House of Representatives and I look forward to continuing to work with all of you in this new capacity.

I wish you and the Indiana General Assembly all of the best.

Sincerely,
Bill J. Davis
State Representative

CERTIFICATION OF
APPOINTMENT TO A VACANT
STATE LEGISLATIVE OFFICE

TO THE HONORABLE BRIAN C. BOSMA
SPEAKER OF THE HOUSE OF REPRESENTATIVES:

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 33, on November 3, 2013, due to the resignation of the Honorable Bill Davis, who was elected to office as a candidate of the Indiana Republican Party;

WHEREAS, The duly elected and acting state chairman of the Indiana Republican Party set the place, date and time of a caucus comprised of the eligible precinct committeemen from Indiana House District 33 and sent a notice by first class mail to all precinct committeemen in the caucus at least ten (10) days before the date of the meeting, setting forth the purpose, place, date and time of the meeting;

WHEREAS, The duly elected state chairman presided over the aforesaid caucus, which was conducted on November 18, 2013, this date being not later than thirty (30) days after the vacancy occurred;

WHEREAS, The caucus, voting by secret ballot, and a majority vote of those casting a vote for a candidate, selected an individual who resides within Indiana House District 33 to fill this vacancy;

WHEREAS, The individual selected to fill the aforesaid vacancy had filed a declaration of candidacy with the chairman of the caucus, and had previously filed a statement of economic interests under Indiana Code 2-2.1-3-2 with the Principal Clerk of the House of Representatives, at least seventy-two (72) hours before the time fixed for the caucus, all as required by Indiana Code 3-13-5-3;

WHEREAS, Under Indiana Code 3-13-5-6, the state chairman is required to certify the name of the individual selected under Indiana Code 3-13-5-1 to fill this vacancy to the Speaker of the House of Representatives; and

WHEREAS, Under Indiana Code 3-13-5-6, the Speaker of the House of Representatives is required to acknowledge receipt of this certification, submit a copy of the certificate to be included in the Journal of the House of Representatives on the day when the individual is seated, (or if this certificate is received after the adjournment *sine die* of the General Assembly, on the first day that the House of Representatives is in session following receipt of this certificate), and immediately forward the certificate to the Secretary of the State of Indiana: NOW, THEREFORE,

AS THE DULY ELECTED
AND ACTING CHAIRMAN OF THE
INDIANA REPUBLICAN STATE COMMITTEE,

- (1) I certify that Greg R. Beumer was selected by the aforesaid caucus to fill the vacancy existing in the Office of Indiana House of Representatives, House District 33;
- (2) I request that the Speaker of the House of Representatives acknowledge receipt of this Certificate by his signature below as provided for by Indiana Code 3-13-5-6;
- (3) I request that the Speaker of the House of Representatives include a copy of this Certificate in the Journal of the House of Representatives as provided in Indiana Code 3-13-5-6; and
- (4) I request that this Certificate be immediately forwarded to the Secretary of State, as provided by Indiana Code 3-13-5-6.

CERTIFIED, THIS 19TH DAY OF NOVEMBER, 2013:
TIM BERRY,
Indiana Republican State Chairman

ACKNOWLEDGMENT OF RECEIPT BY THE
SPEAKER OF THE HOUSE OF REPRESENTATIVES

I hereby acknowledge receipt of this Certificate by my signature below this 19th day of November, 2013.

Signed: Brian C. Bosma

Speaker of the House of Representatives

NOTIFICATION TO
SECRETARY OF STATE

November 19, 2013

The Honorable Connie Lawson
Indiana Secretary of State
201 State House
Indianapolis, IN 46204

Dear Secretary Lawson,

This is to officially notify you that this office has received from the Chair of the Indiana Republican Committee, a copy of the certification of the election of Greg R. Beumer to represent State House District 33, filling the vacancy created by the resignation of Bill J. Davis. Representative Greg R. Beumer was duly elected on November 18, 2013, in a caucus of precinct committee persons in District 33.

Sincerely,

Brian C. Bosma
Speaker of the House

CERTIFICATE OF SELECTION
TO STATE LEGISLATIVE OFFICE

TO THE HONORABLE BRIAN C. BOSMA
SPEAKER OF THE INDIANA
HOUSE OF REPRESENTATIVES

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 33, on November 19, 2013, due to the resignation of the Honorable Bill J. Davis, who was elected to office as a candidate of the Indiana Republican Party;

WHEREAS, On November 18, 2013, a caucus composed of Republican Party precinct committeemen from Indiana House District 33 selected Greg R. Beumer to fill the vacancy in House District 33;

WHEREAS, The State Chairman of the Indiana Republican Party certified the selection of Greg R. Beumer to fill the vacancy in office of Indiana State Representative, District 33, to the Speaker of the House of Representatives on November 19, 2013, and the Speaker of the House of Representatives acknowledged receipt of the certification on November 19, 2013;

WHEREAS, The Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, on November 19, 2013, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING SECRETARY OF THE STATE OF INDIANA, I certify that the Honorable Greg R. Beumer has been selected to fill the vacancy existing in the office of Indiana State Representative, District 33.

Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 19th day of November, 2013, being the 238th year of the Independence of the United States, and the 197th year of the Statehood of Indiana.

CONNIE LAWSON
Secretary of the State of Indiana

Representative-elect Greg R. Beumer was sworn into office on November 19, 2013 by Brent E. Dickson, Chief Justice of Indiana. The oath of office is: "I, Greg R. Beumer, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

Sworn before me, Brent E. Dickson, Chief Justice of Indiana, this 19th day of November, 2013.

ROLL CALL OF MEMBERS

The roll was called and the following members answered to their names:

Lloyd B. Arnold (District 74, Crawford, Dubois, Orange, Perry, Spencer Counties)

Terri Jo Austin (District 36, Madison County)

Ronald A. Bacon (District 75, Pike, Spencer, and Warrick Counties)

James R. Baird (District 44, Clay, Morgan, Owen, Parke, Putnam Counties)

John L. Bartlett (District 95, Marion County)

Kreg S. Battles (District 45, Daviess, Greene, Knox, Sullivan, and Vigo Counties)

B. Patrick Bauer (District 6, St. Joseph County)

Robert W. Behning (District 91, Hendricks and Marion Counties)

Greg R. Beumer (District 33, Blackford, Delaware, Jay, and Randolph Counties)

Steven J. Braun (District 24, Boone and Hamilton Counties)

Charlie Brown (District 3, Lake County)

Timothy N. Brown (District 41, Boone, Montgomery, and Tippecanoe Counties)

Charles W. "Woody" Burton (District 58, Johnson County)

Mara Candelaria Reardon (District 12, Lake County)

Martin J. Carbaugh (District 81, Allen County)

Robert W. Cherry (District 53, Hancock and Madison Counties)

Edward D. Clere (District 72, Floyd County)

Casey B. Cox (District 85, Allen County)

Suzanne M. Crouch (District 78, Vanderburgh and Warrick Counties)

Wesley H. Culver (District 49, Elkhart County)

Steven J. Davisson (District 73, Clark, Harrison, Jackson, Lawrence, Orange, and Washington Counties)

Edward O. DeLaney (District 86, Marion County)

Thomas P. Dermody (District 20, LaPorte and Starke Counties)

Dale R. DeVon (District 5, St. Joseph County)

Ryan M. Dvorak (District 8, LaPorte and St. Joseph Counties)

Sean R. Eberhart (District 57, Bartholomew, Hancock and Shelby Counties)

Sue Errington (District 34, Delaware County)

Dan P. Forestal (District 100, Marion County)

William C. Friend (District 23, Cass, Fulton, and Miami Counties)

David N. Frizzell (District 93, Johnson and Marion Counties)

Randall L. Frye (District 67, Dearborn, Decatur, Jefferson, Jennings, Ohio, Ripley, and Switzerland Counties)

Philip K. GiaQuinta (District 80, Allen County)

Terry A. Goodin (District 66, Clark, Jefferson, and Scott Counties)

Douglas L. Gutwein (District 16, Fulton, Jasper, Newton, Pulaski, and Starke Counties)

Christina E. Hale (District 87, Marion County)

Richard L. Hamm (District 56, Wayne County)

Timothy P. Harman (District 17, Fulton and Marshall Counties)

Earl L. Harris (District 2, Lake County)

Bob A. Heaton (District 46, Clay, Monroe, Owen, and Vigo Counties)

Kathleen M. Heuer (District 83, Allen and Whitley Counties)

Todd M. Huston (District 37, Hamilton County)

Michael H. Karickhoff (District 30, Grant and Howard Counties)

Clyde Kersey (District 43, Vigo County)

Cynthia L. Kirchhofer (District 89, Marion County)

Sheila A. Klinker (District 27, Tippecanoe County)

Eric A. Koch (District 65, Brown, Jackson, Johnson, Lawrence, and Monroe Counties)

Rebecca Kubacki (District 22, Elkhart and Kosciusko Counties)

Linda C. Lawson (District 1, Lake County)

Donald J. Lehe (District 25, Carroll, Cass, Clinton, Tippecanoe, and White Counties)

Matt S. Lehman (District 79, Adams, Allen, and Wells Counties)

Daniel J. Leonard (District 50, Allen, Huntington and Wells Counties)

Jim Lucas (District 69, Bartholomew, Jackson, Jefferson, and Jennings Counties)

L. Jack Lutz (District 35, Delaware and Madison Counties)

Karlee D. Macer (District 92, Marion County)

Kevin A. Mahan (District 31, Blackford, Delaware, Grant, and Wells Counties)

Peggy M. Mayfield (District 60, Monroe and Morgan Counties)

Judson G. McMillin (District 68, Dearborn, Franklin, and Union Counties)

Wendy M. McNamara (District 76, Posey and Vanderburgh Counties)

Mark B. Messmer (District 63, Daviess, Dubois, Martin, and Pike Counties)

Justin W. Moed (District 97, Marion County)

Robert D. Morris (District 84, Allen County)

Alan P. Morrison (District 42, Clay, Fountain, Parke, Vermillion, Vigo, and Warren Counties)

Charles "Chuck" A. Moseley (District 10, Porter County)

Timothy Neese (District 48, Elkhart County)

Sharon K. Negele (District 13, Benton, Fountain, Jasper, Montgomery, Newton, Tippecanoe, Warren, and White Counties)

David L. Niezgodski (District 7, St. Joseph County)

David L. Ober (District 82, Allen, Elkhart, LaGrange, Noble, and Whitley Counties)

Scott D. Pelath (District 9, LaPorte and Porter Counties)

Matt Pierce (District 61, Monroe County)

Gregory W. Porter (District 96, Marion County)

John L. Price (District 47, Johnson and Morgan Counties)

Cherrish S. Pryor (District 94, Marion County)

Rhonda J. Rhoads (District 70, Clark, Floyd, and Harrison Counties)

Kathy Kreag Richardson (District 29, Hamilton County)

Gail C. Riecken (District 77, Vanderburgh County)

Thomas E. Saunders (District 54, Henry, Rush, and Wayne Counties)

Robin C. Shackelford (District 98, Marion County)

Harold M. Slager (District 15, Lake County)

Benjamin C. Smaltz (District 52, Allen, Dekalb, and Steuben Counties)

Milo E. Smith (District 59, Bartholomew County)

Vernon G. Smith (District 14, Lake County)

Edmond L. Soliday (District 4, Porter County)

Mike R. Speedy (District 90, Marion County)

Gregory E. Steuerwald (District 40, Hendricks County)

Vanessa J. Summers (District 99, Marion County)

Jeffrey A. Thompson (District 28, Boone and Hendricks Counties)

Jerry Torr (District 39, Hamilton County)

Randolph P. Truitt (District 26, Tippecanoe County)

P. Eric Turner (District 32, Delaware, Grant, Hamilton, Howard, Madison, and Tipton Counties)

Matthew A. Ubelhor (District 62, Daviess, Greene, Martin, and Monroe Counties)

Rochelle "Shelli" L. VanDenburgh (District 19, Lake and Porter Counties)

Heath R. VanNatter (District 38, Carroll, Cass, Clinton, and Howard Counties)

Thomas W. Washburne (District 64, Gibson, Knox, Pike, Posey, and Vanderburgh Counties)

Timothy C. Wesco (District 21, Elkhart and St. Joseph Counties)

David A. Wolkins (District 18, Grant, Kosciusko, Miami, and Wabash Counties)

Dennis J. Zent (District 51, LaGrange and Steuben Counties)

Cindy M. Ziemke (District 55, Decatur, Fayette, Franklin, Ripley, and Rush Counties)

Speaker Brian C. Bosma (District 88, Hamilton, Hancock, and Marion Counties)

Roll Call 1: 98 present; 2 excused [Representatives Rick N. Niemeyer (District 11, Lake and Porter Counties) and Steven R. Stemler (District 71, Clark County).] The Speaker announced a quorum in attendance.

OPENING REMARKS BY SPEAKER BRIAN C. BOSMA

As I was thinking about the tradition of addressing the body today, I didn't realize that it was the 150th anniversary of Lincoln's Gettysburg address, almost to the moment.

One hundred and fifty years ago, they gathered at the Gettysburg National Cemetery with Lincoln and 10 or 15 thousand additional folks. All of you know the speech, but some of you may not know the story.

Lincoln was not the keynote speaker. It was a noted orator Edward Everett, and Mr. Everett spoke for two hours, as stated in the newspaper accounts that existed. I expect people started wandering around, looking at the battlefield and lost interest in Mr. Everett's words.

In fact, I don't know if you saw this, but recently a newspaper in Pennsylvania wrote a retraction of its criticism which may be the longest newspaper retraction in history. I would like for the members of the press to recall that.

Lincoln said in his few moments that, "the world will little note nor long remember what we say here". Yet, many of us in this room can recite Lincoln's speech from memory; but we don't recall what Everett had to say. Lincoln's speech was recognized as one of the most important in our country's history. I don't flatter myself that the world will long remember what I say here. In fact, I don't flatter myself that you all will remember what I say here today shortly after we're done. But, I do pledge that I'm going to take the Lincoln format rather than the Everett format to share my thoughts with you this afternoon.

As I look out at 98 of the 100 of us who have come through a great deal together, over the last number of years, especially over the last year. In 2010, one of my pledges to this body was to set a new tone of bipartisan cooperation and civility. Despite the many challenges that we've faced last year, that goal was reached throughout session. I want to credit, in great part my friend, Leader Scott Pelath, in that regard. We're helping, together, our teammates to make that happen.

I look back at the budget we adopted. We maintained our state's fiscal integrity as we've all pledged. We made record

investments in public schools, perhaps at levels that we might have differed on, with more money to our public schools than at any time in our state's history.

We reached near record investments in infrastructure and roads. We invested in great teachers; science, technology, engineering, mathematics and education. We gave incentives to the private sector to invest in Indiana's logistics industry. We invested \$25 million in the Indiana Biosciences Research Institute. If you noted in the paper the last couple of days, the pledge to match those funds dollar-for-dollar has been met and more will come.

We pledged no new taxes, and in fact, together, talked about and ultimately adopted the largest tax cut in our state's history – by repealing in its entirety our Inheritance Tax, cutting individual income taxes and maintaining the corporate income tax cuts that we know are so important to job creation for our future.

Under the guidance of Dr. Brown and members of both parties on the Ways and Means team, we introduced a new concept in state budgeting around the country - we paid cash for major capital projects, and we paid off state debt. In the face of all of that, we still maintained one of the strongest reserves in the nation and maintained our AAA credit rating better, I am happy to note, than the federal government.

With the help of every person in this chamber and a bipartisan co-authorship and cosponsorship, we established the Indiana Career Council. If you have been paying close attention to the bipartisan work of that group, you would be impressed. It has been outstanding. They are seeking to match job skills in Indiana with available jobs and doing a great job in this regard.

We took the first steps in our state's history to begin giving low-income children access to high-quality preschools, to prepare them to learn when they head out the school's doors. We have sought to give more choices to families about their schools, touching virtually, now, 60 percent of our school population and allowing them the option of going to a school of choice and some 20,000 families are making that choice.

Yet, there are a lot of challenges before us, many of them that must be dealt with in this session. Despite the efforts we have made, despite all the ratings as the best place in America, or at least in the Midwest, to create a job or to create and grow a business, we still have an 8 percent unemployment rate in this state.

Despite our encouragement, we still have 61 percent of 3 and 4 year olds that don't have access to a quality preschool program. This is one of the lowest ratings in the nation. We still have highways and infrastructure that are in desperate need of improvement for the flow of commerce and make Hoosier travelers safe.

And while we've cut employer taxes to spur job growth, we're still one of the few states in the nation that taxes business personal property; investment by Hoosier employers is taxed in Indiana like not many other places.

These four issues, the skills gap, early childhood education, road funding and fair business taxation must be our priorities this session. It's my hope that we can work together, as we did last session to find solutions that Republicans and Democrats can stand together on, and say we're moving Indiana in the right direction.

We have to ensure a bipartisan solution to some of the challenges in our education community right now and in the

executive branch. And by the way, I've looked at the state constitution in the last 24 hours, and while there's an argument over who's in charge of education policy, our state's constitution clearly gives that task to the elected legislative bodies in this chamber and in the Senate.

We need to find a bipartisan solution to our A-F school accountability measures that are fair, transparent and applied in an equitable manner. We need to deal with the issue of state standards: who sets them and where, and from my perspective, they need to be the highest in the nation. They need to measure Indiana standards. We can only improve those things that we can measure, but they need to be our measurements and with our students. Hoosiers deserve it.

We have to continue efforts to bring continued transparency and openness to the public, to our own process and the local government processes. We have to finalize and implement our criminal code revisions and give local communities the tools and resources to implement them. We have to continue to discuss and debate the merit, and find the solutions to the problems of the Affordable Care Act that have now been handed to the states in great part. We must lead a discussion about what we do with our own Medicaid program.

But most importantly, my challenge to you is to maintain the air of bipartisan solution seeking that we had in the last session so that we can underscore for Hoosiers that this is a functional representative body and not some of the dysfunctional legislative bodies that you see in Washington, D.C.

And yes, while it's not high on the agenda, we all know we have to deal with whether Hoosiers should be entrusted with the important decision of the marriage amendment.

From my own personal perspective, this decision shouldn't be made in a corporate boardroom; it shouldn't be made in a judicial chamber; it shouldn't be made in a university president's office; and quite frankly, it shouldn't be made in a single legislative leader's office. It needs to be made by this body, and we will make that decision together.

My charge to you as we debate this very emotional, personal issue is that we do so with the recognition of the dignity of every Hoosier in here and elsewhere, and also respecting each other's strongly held positions.

In Lincoln's words, we need to discuss this issue "with malice toward none, with charity for all." I have absolutely every confidence that this body can meet all of these challenges. As I look out and around this room, seasoned members and the very new members, I see an extraordinarily talented group of individuals that bring their own personal experiences and talents to the democratic process.

I quoted one of our greatest nation's leaders who was killed by the hand of a disaffected citizen earlier, and I want to quote another one of our great nation's leaders who also sacrificed his life in service almost half a century ago, a century after Lincoln. President John Kennedy challenged the nation with the following words, "let us not seek the Republican answer or the Democrat answer, but the right answer. Let us not seek to fix the blame for the past. Let us accept our own responsibility for the future." I'm very confident that we can meet that call.

I was going to end with that quote until I had a press conference this morning with the Special Olympics, and I heard something even more inspiring. Andrew Peterson, the young man with one of many gold medals around his neck up there, spoke a very inspiring message, telling of his 10 years of physical therapy and inability to walk well. After that,

discovering that he couldn't run fast, he learned he could run farther than pretty much anyone he knew. Now he performs that quite frequently with most people watching him from behind. So Andrew this morning quoted the Special Olympics motto as his opening statement, and I'm going to offer it this afternoon as my closing.

"Let me win," Andrew said, "but if I cannot win, let me be brave in the attempt."

That, ladies and gentlemen, is the challenge for us. We can do this together, with your help it will happen. Thank you, and may God continue to bless each of you and our great State of Indiana.

ORGANIZATION OF SECOND REGULAR SESSION

HOUSE MOTION

Mr. Speaker: I move that a committee of four (4) members of this House be appointed by the Speaker to notify the Senate that the House of Representatives has met, formed a quorum, and is now prepared to proceed with the legislative business and to receive any communications which the Senate may transmit.

FRIEND

Motion prevailed. The Speaker appointed Representatives Torr, Cox, Hale, and Macer.

COMMITTEE REPORT

Mr. Speaker: Your committee which was appointed by the Speaker to notify the Senate that the House has met, has formed a quorum, and is prepared to proceed with the legislative business and to receive any communications which the Senate may transmit, respectfully reports that it has performed the duties assigned.

TORR
COX

HALE
MACER

Report adopted.

HOUSE MOTION

Mr. Speaker: I move that a committee of four (4) members of this House be appointed by the Speaker to act with a like committee of the Senate to wait upon the Governor and to notify him of the organization of both Houses of the General Assembly and to inform him that the General assembly is ready for the transaction of legislative business.

FRIEND

Motion prevailed. The Speaker appointed Representatives Richardson, Beumer, Battles, and Shackelford.

COMMITTEE REPORT

Mr. Speaker: Your committee which was appointed to act with a like committee of the Senate to wait upon the Governor, to notify him of the organization of both Houses of the General Assembly, and to inform him that they are ready for the transaction of legislative business, begs leave to report that it has performed the duties assigned.

RICHARDSON
BEUMER

BATTLES
SHACKLEFORD

Report adopted.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the following motion:

"I move that Senators Banks, Waltz, Randolph and Broden be appointed as a committee of four members of the Senate to notify the House of Representatives that the Senate has met, has formed a quorum, and is now prepared to proceed with legislative business and to receive any communications which the House of Representatives may transmit. Senator Banks shall serve as chair of the committee."

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 adopted the following motion:

"I move that Senators Tomes, Glick, Tallian and Breaux be appointed as a committee of four members of the Senate to act with a like committee of the House of Representatives to wait upon the Governor and to notify him of the convening of both Houses of the General Assembly and to inform him that they are ready for the transaction of legislative business and to learn from him when it will suit his convenience to submit whatever communication he may have to offer to the General Assembly. Senator Tomes shall serve as chair of the committee."

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 2 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, January 6, 2014, at 1:30 p.m.

FRIEND

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 1

Representatives Bosma, Richardson, Friend, Pelath, Arnold, Austin, Bacon, Baird, Bartlett, Battles, Bauer, Behning, Beumer, Braun, C. Brown, T. Brown, Burton, Candelaria Reardon, Carbaugh, Cherry, Clere, Cox, Crouch, Culver, Davison, DeLaney, Dermody, DeVon, Dvorak, Eberhart, Errington, Forestal, Frizzell, Frye, GiaQuinta, Goodin, Gutwein, Hale, Hamm, Harman, Harris, Heaton, Heuer, Huston, Karickhoff, Kersey, Kirchofer, Klinker, Koch, Kubacki, L. Lawson, Lehe, Lehman, Leonard, Lucas, Lutz, Macer, Mahan, Mayfield, McMillin, McNamara, Messmer, Moed, Morris, Morrison, Moseley, Neese, Negele, Niemeyer, Niezgodski, Ober, Pierce, Porter, Price, Pryor, Rhoads, Riecken, Saunders, Shackelford, Slager, Smaltz, M. Smith, V. Smith, Soliday, Speedy, Stemler, Steuerwald, Summers, Thompson, Torr, Truitt, Turner, Ubelhor, VanDenburgh, VanNatter, Washburne, Wesco, Wolkins, Zent, and Ziemke introduced House Concurrent Resolution 1:

A CONCURRENT RESOLUTION memorializing and honoring Representative Phyllis Pond.

Whereas, Phyllis Pond was born on October 25, 1930, to the late Clifford and Rosa Ruble;

Whereas, Phyllis grew up on a farm northeast of Warren, Indiana;

Whereas, Phyllis graduated from Warren High School in 1948, Ball State University in 1951, and Indiana University School of Education in 1963;

Whereas, Before teaching kindergarten for 37 years at New Haven Elementary School, Phyllis also taught school in Eaton, Raleigh, and Plymouth;

Whereas, Phyllis was elected to the Indiana House of Representatives in 1978 and was the longest serving female state representative in the history of Indiana;

Whereas, Phyllis was also the first female lawmaker to earn a seat in the front row of the House Chamber, which is reserved for House leaders or representatives with the most seniority;

Whereas, Among her many achievements during her 35 year career in the House of Representatives, Phyllis authored the Primetime Education Bill, which capped kindergarten through third grade classroom sizes at 18. She also authored a bill that established a program for mediation in marriage dissolution actions as well as a bill that established the Indiana Conference for Legal Education Opportunity ("CLEO") program, which assists Indiana minority, low income, or educationally disadvantaged college graduates in pursuing a law degree and a career in the Indiana legal community;

Whereas, Phyllis took great pride in being one of the few non-attorney members of the Committee on Judiciary, which she served on for many years;

Whereas, During her 35 years of service in the House of Representatives, Phyllis was a member of the Committee on Ways and Means for 23 years;

Whereas, As a retired teacher, Phyllis understood the obstacles teachers face daily in the classroom and was passionate in her efforts to combat those obstacles through legislative initiatives;

Whereas, Phyllis was awarded the state's highest award, The Sagamore of the Wabash, on November 2, 1984, by Governor Robert Orr;

Whereas, Phyllis was very active in service to her community by serving as a Girl Scout leader, 4-H leader, and Cub Scout den mother;

Whereas, Phyllis was a longtime member of Emanuel Lutheran Church in New Haven;

Whereas, Phyllis loved her family: George, her husband of 62 years; children Douglas, William, and Jean; daughter-in-law Cami; grandchildren Greg and Scott Pond, Joel Aiken, and Jennifer Knapp, and Jennifer's husband, Jon; and great-grandchildren Beatrice, Walker, and Eleanore;

Whereas, Phyllis passed away on September 22, 2013, after losing a battle with pulmonary fibrosis; and

Whereas, Phyllis will be missed by all of her colleagues in the Indiana General Assembly, and her dedication and service to her district and all Hoosiers will continue to be fondly remembered by all: 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 members of the Indiana General Assembly memorialize and honor the life of Representative Phyllis Pond.

SECTION 2. The Principal Clerk of the House of Representatives is hereby directed to transmit a copy of this resolution to George Pond, Douglas Pond and his family, Dr. William Pond and his family, and Jean Grasmick and her family.

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 Kruse.

House Concurrent Resolution 2

Representatives Bosma and Pelath introduced House Concurrent Resolution 2:

A CONCURRENT RESOLUTION to allow the House of Representatives and the Senate of the 118th General Assembly to adjourn and recess separately throughout the Second Regular Session for periods in excess of three (3) consecutive days as the need, in the judgment of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, respectively, may arise.

Whereas, The Indiana House of Representatives and the Senate met for the purpose of organization of each House to conduct the public business of the people of the State of Indiana;

Whereas, The House of Representatives and the Senate operate on their own respective schedules, having been separated from each other under IC 2-2.1-1-3(a)(2);

Whereas, During the consideration of legislative business, each House may, in the respective judgment of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, deem it necessary to adjourn and recess for periods in excess of three (3) consecutive days and to operate on a schedule different from the other House;

Whereas, Article 4, Section 10 of the Constitution of the State of Indiana states that neither House shall, without the consent of the other, adjourn for more than three (3) consecutive days;

Whereas, Each House desires to consent to any adjournment or recess by the other House that might last more than three (3) days during the Second Regular Session of the 118th Indiana General Assembly; and

Whereas, The House of Representatives and the Senate intend to recess after November 19, 2013, to conduct legislative business: Therefore,

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

SECTION 1. That each House of the 118th Indiana General Assembly hereby consents to any adjournment or recess of the other House during the Second Regular Session of the 118th Indiana General Assembly for a period in excess of three (3) days, if such recess or adjournment is approved, in the case of the House of Representatives, by the Speaker of the House of Representatives or, in the case of the Senate, by the President Pro Tempore of the Senate.

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

Senate Concurrent Resolution 2

The Speaker handed down Senate Concurrent Resolution 2, sponsored by Representatives Pelath and Dermody:

A CONCURRENT RESOLUTION honoring the personnel involved in the successful Miracle on Mount Baldy rescue.

Whereas, Mount Baldy is the tallest moving sand dune in the Indiana Dunes National Lakeshore;

Whereas, On July 12, 2013, six-year-old Nathan Woessner fell into a sinkhole on Mount Baldy and was buried alive for four hours;

Whereas, 135 first responders, two excavator machines, and a tremendous amount of manpower dug through the sand to rescue Woessner;

Whereas, A number of agencies provided invaluable assistance in saving Woessner's life, including E911 Dispatch Center, Michigan City Fire Department, Michigan City Police Department, National Park Service, Police and Fire Chaplains, Emergency Medical Volunteers, LaPorte County Emergency Medical Services, LaPorte County Sheriff reserves, Long Beach Police Department, Red Cross of LaPorte County, NIPSCO, Michigan City-City Hall, LaPorte County Coroner's Office, The News Dispatch, Woodruff & Sons, D&M Excavating, Trail Creek Police Department, LaPorte County EMA, Franciscan St. Anthony's Hospital, University of Chicago Hospital, and UCAN/Lifestar Medical Helicopter;

Whereas, Michigan City Mayor Ron Meen, Michigan City Chief of Police Mark Swistek, Michigan City Fire Chief Ronnie Martin, and LaPorte County Emergency Medical Services Director Pat Pease showed exceptional leadership ability while directing their staffs in the successful rescue of Woessner, now known as the Miracle on Mount Baldy;

Whereas, The heroic and quick-thinking efforts exhibited by the men and women involved transformed this incident from a tragedy into a triumph, and serves as an example of professional excellence, dedication, and commitment; and

Whereas, The actions of those involved reflect great credit upon themselves, their community, and the great state of Indiana: Therefore,

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

SECTION 1. The Indiana General Assembly honors the personnel involved in the successful Miracle on Mount Baldy rescue.

SECTION 2. The Secretary of the Senate is directed to transmit copies of this resolution to the City of Michigan City, the Michigan City Police Department, the Michigan City Fire Department, and LaPorte County Emergency Medical Services.

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.

On the motion of Representative Friend, the House adjourned at 2:30 p.m., this nineteenth day of November, 2013, until Monday, January 6, 2014, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives