



Journal of the Senate

State of Indiana

121st General Assembly

First Regular Session

Twenty-ninth Meeting Day

Monday Afternoon

March 11, 2019

The Senate convened at 1:31 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

BUCK, Chair

Prayer was offered by Pastor Ford Glover, Suburban Baptist Church in Indianapolis.

The Pledge of Allegiance to the Flag was led by Senator Jack E. Sandlin.

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

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan <input checked="" type="checkbox"/>
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Doriot	Rogers
Ford, J.D.	Ruckelshaus
Ford, Jon	Sandlin
Freeman	Spartz
Garten	Stoops <input checked="" type="checkbox"/>
Gaskill	Tallian
Glick	Taylor, G.
Grooms	Tomes
Head	Walker
Holdman	Young, M.
Houchin	Zay

Roll Call 259: present 48; excused 2. [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.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1019, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 1.

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Engrossed House Bill 1075, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1086, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Engrossed House Bill 1432, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 7.

Page 3, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 2. IC 31-35-2-4, AS AMENDED BY P.L.42-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) A petition to terminate the parent-child relationship involving a delinquent child or a child in need of services may be signed and filed with the juvenile or probate court by any of the following:

(1) The attorney for the department.

(2) The child's court appointed special advocate.

(3) The child's guardian ad litem.

(b) The petition must meet the following requirements:

(1) The petition must be entitled "In the Matter of the Termination of the Parent-Child Relationship of _____, a child, and _____, the child's parent (or parents)".

(2) The petition must allege:

(A) that one (1) of the following is true:

- (i) The child has been removed from the parent for at least six (6) months under a dispositional decree.
- (ii) A court has entered a finding under IC 31-34-21-5.6 that reasonable efforts for family preservation or reunification are not required, including a description of the court's finding, the date of the finding, and the manner in which the finding was made.
- (iii) The child has been removed from the parent and has been under the supervision of a local office or probation department for at least fifteen (15) months of the most recent twenty-two (22) months, beginning with the date the child is removed from the home as a result of the child being alleged to be a child in need of services or a delinquent child;

(B) that one (1) of the following is true:

- (i) There is a reasonable probability that the conditions that resulted in the child's removal or the reasons for placement outside the home of the parents will not be remedied.
- (ii) There is a reasonable probability that the continuation of the parent-child relationship poses a threat to the well-being of the child.
- (iii) The child has, on two (2) separate occasions, been adjudicated a child in need of services;

(C) that termination is in the best interests of the child; and

(D) that there is a satisfactory plan for the care and treatment of the child.

(3) If the department intends to file a motion to dismiss under section 4.5 of this chapter, the petition must indicate whether at least one (1) of the factors listed in section 4.5(d)(1) through ~~4.5(d)(3)~~ **4.5(d)(4)** of this chapter applies and specify each factor that would apply as the basis for filing a motion to dismiss the petition.

(c) At the time the petitioner files the verified petition described in subsection (b) with the juvenile or probate court, the petitioner shall also file a:

- (1) copy of the order approving the permanency plan under IC 31-34-21-7 for the child; or
- (2) permanency plan for the child as described by IC 31-34-21-7.5."

Renumber all SECTIONS consecutively.

(Reference is to HB 1432 as reprinted February 8, 2019.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Agriculture, to which was referred Engrossed House Bill 1492, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

LEISING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Engrossed House Bill 1500, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

GROOMS, Chair

Report adopted.

SENATE MOTION

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

- SR 39 Senator Jon Ford
Recognizing Makayla Stuck.
- SR 40 Senator J.D. Ford
Congratulating the Spirit of Life Church.
- SCR 42 Senator J.D. Ford
Congratulating Dennis Goins.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 39

Senate Resolution 39, introduced by Senators Jon Ford and Bassler:

A SENATE RESOLUTION recognizing Makayla Stuck for her volunteer work with the Vigo County Youth Soccer Association TOPSoccer program.

Whereas, Makayla Stuck of Terre Haute has served as a "Buddy" for the Vigo County Youth Soccer Association TOPSoccer program since the program began in 2013;

Whereas, The TOPSoccer program is a community-based training and team placement program for athletes with disabilities, and is designed to bring the opportunity of learning and playing soccer to any players, age 8 and older, who have a mental or physical disability;

Whereas, A St. Mary of the Woods College freshman and a 2018 graduate of Terre Haute North High School, Makayla continues to provide help, guidance, and support to these young athletes in learning the game of soccer; and

Whereas, Makayla's continued service to the Vigo County Youth Soccer Associations' TOPSoccer program does not go unnoticed: Therefore,

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

SECTION 1. That the Indiana Senate recognizes Makayla Stuck for her volunteer work with the Vigo County Youth Soccer Association TOPSoccer program.

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

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

Senate Resolution 40

Senate Resolution 40, introduced by Senator J.D. Ford:

A SENATE RESOLUTION congratulating the Spirit of Life Church as it celebrates its 25th anniversary.

Whereas, The Spirit of Life Church is a nondenominational Christian church on the west side of Indianapolis that is dedicated to helping people strengthen their faith. They provide various ministries to encourage fellowship and faithfulness throughout the community;

Whereas, The church began with only a few people and has since developed into a full congregation whose members prioritize helping the Indianapolis community;

Whereas, The Church has sponsored many community events so people may build relationships while growing in their faith. For example, the Church has organized events such as Hallelujah Night, Splash Events during the summer, and Thanksgiving meals. All of these events are free to the community, and have positively impacted thousands of people in the area;

Whereas, The Spirit of Life Church has also sponsored the "Gas Buy Down" event in Indianapolis, in which the church collected money to fund a temporary price drop for people buying gas; and

Whereas, The church also provides a learning program for children called "Victory Academy", with the mission of cultivating a strong, positive self-worth as a child of God. The preschool serves over ninety children: Therefore,

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

SECTION 1. That the Indiana Senate congratulates the Spirit of Life Church on its 25th anniversary.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the Spirit of Life Church.

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

Senate Concurrent Resolution 42

Senate Concurrent Resolution 42, introduced by Senator J.D. Ford:

A CONCURRENT RESOLUTION congratulating Dennis

Goins for being named a "Mentor of the Year" as part of the 2019 Inspire Awards.

Whereas, The Inspire Mentor of the Year Award is meant to celebrate mentoring in the workplace and community. It receives nominations from all across the country and seeks to celebrate those who have made a difference in the careers and lives of others by providing support, advice, and guidance;

Whereas, Mr. Goins is currently the performing arts department chair at Ben Davis High School, where he has been teaching since 2002. During his time at Ben Davis, he has written the curriculum for a television broadcasting program in addition to developing a state-of-the-art studio for visual arts production;

Whereas, Mr. Goins has been teaching the Ben Davis TV course for 13 years. His commitment to this course has greatly added to the success of Ben Davis High School students. Furthermore, Mr. Goins' attitude has also positively impacted students not involved in visual arts;

Whereas, He has also been involved with the football team's chapel services and has been a sponsor of the Fellowship of Christian Athletes. No matter the activity, Mr. Goins exemplifies positivity and leadership to students and everyone around him. He is known for deeply caring about the professional, academic, and personal success of students; and

Whereas, The Inspire Mentor of the Year Award is a well-deserved and fitting title for Mr. Goins, whose mentorship has had an excellent impact throughout the community. Mr. Goins earned the honorary title in the multiple categories of the award, including education, government, and nonprofit: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Mr. Dennis Goins for being named "Mentor of the Year" as part of the 2019 Inspire Awards.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Mr. Dennis Goins.

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

Senate Concurrent Resolution 19

Senate Concurrent Resolution 19, introduced by Senators Bray and Crane:

A CONCURRENT RESOLUTION congratulating Emma Wilson on winning the 2018 Indiana High School Athletic Association ("IHSAA") individual girls cross country state championship title.

Whereas, Emma Wilson, a senior at Greencastle High School, won the 2018 IHSAA individual girls cross country state championship with a 5K time of 17:53.9, her second consecutive state championship in cross country;

Whereas, Following up on her 2017 individual state championship win, Wilson became the first repeat state champion in girls cross country since 2007;

Whereas, After her state championship performance, Wilson was named the 2018 IHSAA mental attitude award winner for girls cross country;

Whereas, In four trips to the IHSAA individual girls cross country state finals, Wilson never finished outside the top-10;

Whereas, In addition to her two cross country state championships, Wilson won two state championships in the 3200 meter run in 2017 and 2018, and a state championship in the 1600 meter run in 2017;

Whereas, After graduation, Wilson plans to continue her running career at the University of Illinois; and

Whereas, Wilson's outstanding athletic achievements deserve recognition: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Emma Wilson on winning the 2018 IHSAA girls cross country state championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Emma Wilson and her family.

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

Senate Resolution 31

Senate Resolution 31, introduced by Senator J.D. Ford:

A SENATE RESOLUTION congratulating the Ben Davis High School Boys Bowling Team on their State Championship.

Whereas, The Ben Davis Boys Bowling Team defeated Wapahani High School Boys Bowling Team in the finals of the State Championship on February 2, 2019, making Ben Davis High School the first back-to-back state champions in Indiana history;

Whereas, The Ben Davis High School Boys Bowling Team has acquired a collection of notable achievements, including multiple conference titles, sectional titles, and regional titles. Their most recent state championship was the team's third straight State Finals appearance in a row;

Whereas, Special congratulations goes to exemplary performances of the following individuals: Nikolas Bowman, the Individual State Runner-up, Jordan Howard, the Individual State Champion, and Dylan Cook, the Mental Attitude Award Winner;

Whereas, Head coach, Brad Rinehart, encourages his bowlers' achievements beyond athletics; by promoting graduation from Ben Davis High School with plans to either continue their education or successfully enter the workforce; and

Whereas, Team values emphasized include comradery, sportsmanship, and a strong work ethic, which have contributed to their success on the lanes during competition. Additionally, the Ben Davis Bowling Team exemplifies how these values translate into academic, personal, and professional areas of life: Therefore,

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

SECTION 1. That the Indiana Senate congratulates the Ben Davis High School Boys Bowling Team on their state championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the Ben Davis High School Bowling Team and coaches.

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

**ENGROSSED HOUSE BILLS
ON SECOND READING**

Engrossed House Bill 1173

Senator Alting called up Engrossed House Bill 1173 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1187

Senator M. Young called up Engrossed House Bill 1187 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 27 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1002.

PERFECT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1003.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1009.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1062.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as cosponsor of Engrossed House Bill 1075.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Crane, J.D. Ford and Breaux be added as cosponsors of Engrossed House Bill 1075.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1080.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator L. Brown be added as second sponsor of Engrossed House Bill 1084.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1150.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1208.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second sponsor, Senator Messmer be added as third sponsor and Senator Houchin be added as cosponsor of Engrossed House Bill 1211.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as cosponsor of Engrossed House Bill 1237.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1344.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1352.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1400.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1404.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1405.

MESSMER

Motion prevailed.

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Senate 593

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1406.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1518.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1628.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1629.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, March 12, 2019.

BRAY

Motion prevailed.

The Senate adjourned at 1:51 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate