



Journal of the House

State of Indiana

118th General Assembly

Second Regular Session

Seventeenth Day

Tuesday Afternoon

February 11, 2014

The invocation was offered by Father Ted Mauch of the St. Michael Church in Schererville, a guest of Representative Harold M. Slager.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Harold M. Slager.

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

Arnold	Kubacki
Austin <input type="checkbox"/>	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Battles	Lucas
Bauer	Lutz
Behning	Macer
Beumer	Mahan
Braun	Mayfield
C. Brown	McMillan
T. Brown	McNamara
Burton	Messmer
Candelaria Reardon	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cox	Neese
Culver	Negele
Davisson	Niemeyer
DeLaney	Niezgodski
Dermody	Ober
DeVon	Pelath <input type="checkbox"/>
Dvorak <input type="checkbox"/>	Pierce
Eberhart	Porter
Errington	Price
Forestal	Pryor
Friend	Rhoads
Frizzell <input type="checkbox"/>	Richardson
Frye	Riecken
GiaQuinta	Saunders
Goodin	Shackleford
Gutwein	Slager
Hale	Smaltz
Hamm	M. Smith
Harman	V. Smith
Harris	Soliday
Heaton	Speedy
Heuer	Stemler
Huston	Steuerwald
Karickhoff	Sullivan
Kersey	Summers
Kirchhofer	Thompson
Klinker	Torr
Koch	Truitt

Turner
Ubelhor
VanDenburgh
VanNatter
Washburne

Wesco
Wolkins
Zent
Ziemke
Mr. Speaker

Roll Call 216: 95 present; 5 excused. The Speaker announced a quorum in attendance. [NOTE: indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, February 13, 2014, at 10:00 a.m.

FRIEND

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 31, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 31 as printed January 14, 2014.)

Committee Vote: Yeas 12, Nays 0.

GUTWEIN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 54, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 54 as printed January 24, 2014.)

Committee Vote: Yeas 12, Nays 0.

GUTWEIN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 58, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 58 as printed January 24, 2014.)

Committee Vote: Yeas 11, Nays 0.

FRYE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 85, has had the same under consideration and begs leave to report the same

back to the House with the recommendation that said bill be amended as follows:

Page 2, delete line 38, begin a new line block indented and insert:

"(3) is:

- (A) employed by a law enforcement agency; or
 (B) appointed as a police reserve officer (as described in IC 36-8-3-20) or a special deputy (as described in IC 36-8-10-10.6) if the police reserve officer or special deputy:
- (i) is subject to the direction of the sheriff or appointing law enforcement agency;
 - (ii) is required to obey the rules and orders of the sheriff's department or appointing law enforcement agency;
 - (iii) is required to complete all training required of regular full time law enforcement officers employed by the sheriff's department or appointing law enforcement agency; and
 - (iv) may be removed by the sheriff or appointing law enforcement agency at any time, with or without cause."

(Reference is to SB 85 as printed January 31, 2014.)
 and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

FRYE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 114, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "The" and insert "**Except as provided in subsection (b), the**".

Page 1, line 5, delete "authorize, for not more than three" and insert "**authorize the absence and excuse of each school student if the student or a member of the student's household participates or exhibits in the Indiana state fair for educational purposes, as evidenced in writing by the student's parent. The number of excused absences a student may receive under this section may not exceed five (5) instructional days in a school year. A student excused from school attendance under this section may not be recorded as being absent on any date for which the excuse is operative and may not be penalized by the school in any manner.**"

(b) **In order for a student to receive an excused absence under subsection (a), the student must be in good academic standing, as determined by the school corporation.**"

Page 1, delete lines 6 through 14.

(Reference is to SB 114 as printed January 24, 2014.)
 and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 117, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 117 as printed January 22, 2014.)

Committee Vote: Yeas 12, Nays 0.

GUTWEIN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 209, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 209 as printed January 17, 2014.)

Committee Vote: Yeas 12, Nays 0.

GUTWEIN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 331, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 23, delete "shall" and insert "**may**".

Page 2, line 39, after "(CLEP)" insert "**exam**".

Page 2, line 40, delete ";" and insert "**and receives a score of fifty (50) or higher;**".

Page 3, between lines 29 and 30, begin a new paragraph and insert:

"(c) **Each state educational institution's policy described in subsection (a):**

(1) **shall be reviewed by the commission for higher education and subsequently published on the commission for higher education's statewide transfer Internet web site; and**

(2) **shall be published on the state educational institution's Internet web site."**

Page 3, line 30, delete "(c)" and insert "**(d)**".

(Reference is to SB 331 as reprinted January 28, 2014.)
 and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BEHNING, Chair

Report adopted.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 12 were read a first time by title and referred to the respective committees:

SB 33 — Washburne

Committee on Courts and Criminal Code

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

SB 104 — Neese, Saunders

Committee on Government and Regulatory Reform

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

SB 118 — T. Brown, Braun

Committee on Ways and Means

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

SB 137 — Kubacki, Austin

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT concerning human services.

SB 173 — T. Brown

Committee on Public Health

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

SB 326 — Thompson
Committee on Education

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

SB 357 — Clere, Lehe, Friend
Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

RESOLUTIONS ON FIRST READING

House Resolution 12

Representatives Riecken, Koch and Hale introduced House Resolution 12:

A HOUSE RESOLUTION urging the legislative council to assign to a study committee the topic of human sex trafficking on the Internet.

Whereas, Hoosier human sex trafficking victims have fallen prey to predators who use them in online adult service advertisements;

Whereas, Twelve to fourteen is the average age when children are first used in the business of commercial sex;

Whereas, Online advertising is one of the most visible activities of business in the state of Indiana;

Whereas, Online adult service advertisements have the ability to reach into hundreds of thousands of Hoosier homes on a daily basis;

Whereas, Online advertising on adult services Internet web sites has been found to involve illegal activity including sex trafficking; and

Whereas, It is in the public interest for the state of Indiana to investigate whether regulation of online adult service advertisements would better protect those who are victimized by these advertisements when used for illegal purposes: Therefore,

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

SECTION 1. That the Indiana House of Representatives urges the legislative council to assign to a study committee the topic of human sex trafficking on the Internet.

SECTION 2. That the study committee should:

- (1) analyze the legal issues relating to the regulation of adult service advertisements;
- (2) analyze whether the Indiana courts would have jurisdiction over Internet web sites that contain adult service advertisements in Indiana;
- (3) consider how other states have regulated adult service advertisements; and
- (4) determine appropriate sanctions for an entity that advertises services that engage underage children in sex industries.

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

House Concurrent Resolution 30

Representatives Summers, Candelaria Reardon, Bartlett, C. Brown, Harris, Porter, Pryor, Shackelford and V. Smith introduced House Concurrent Resolution 30:

A CONCURRENT RESOLUTION recognizing Alpha Kappa Alpha Day at the Capitol.

Whereas, Alpha Kappa Alpha Sorority, which has the distinction of being the first sorority established by African American college women, was founded at Howard University

in Washington, D.C., in 1908 and has expanded internationally to 850 chapters;

Whereas, Indiana hosts 22 of these chapters located on college and university campuses and has active alumnae groups in communities throughout the state;

Whereas, Alpha Kappa Alpha is committed to community service and actively contributes to the educational, civic, and social life of Indiana's citizens;

Whereas, Alumnae chapters encourage their members to become involved community volunteers in one of their primary service components that include education, health, the economy, arts, and family;

Whereas, Indiana provides community support through service initiatives identified in the sorority's international platform - Global Leadership Through Timeless Service - as outlined by Carolyn House Stewart, International President;

Whereas, Alpha Kappa Alpha stands in support of the American Heart Association, a national partner, for its Heart Healthy Day and its community initiatives associated with creating a new generation of lifesavers by providing hands only CPR training and health care advocacy;

Whereas, Alpha Kappa Alpha recognizes the 40 Days of Peace Campaign, a national initiative that brings together individuals, families, community organizations, neighborhoods, and law enforcement agencies to promote a greater cooperation and a sustainable reduction in violence in our communities; and

Whereas, This great sisterhood has established a nationally recognized program known as Alpha Kappa Alpha Day at the Capitol: 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 recognizes Regional Connection Chair, Kianha Davis, State Connection Chair, Vanessa J. Summers, and members of the Alpha Kappa Alpha Day at the Capitol for all the good work they accomplish.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Regional Connection Chair, Kianha Davis, State Connection Chair, Vanessa J. Summers, and members of the Alpha Kappa Alpha Day at the Capitol.

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 Taylor.

Senate Concurrent Resolution 7

The Speaker handed down Senate Concurrent Resolution 7, sponsored by Representative Huston:

A CONCURRENT RESOLUTION congratulating the Fishers High School "We The People" team on their recent state championship.

Whereas, The "We the People" team members from Fishers High School, Fishers, Indiana, secured a first place finish in the Indiana competition earning them the right to represent the state at the national competition in Washington D.C. in late April;

Whereas, This victory is a first in Fishers High School history;

Whereas, The "We the People...The Citizen and the Constitution" program was started in 1987 to encourage high school students to study the Constitution and the Bill of Rights;

Whereas, Indiana's program is supported by the Indiana State Bar Association, the Indiana Bar Foundation, and the Indiana University Social Studies Development Center through the cooperative sponsorship of the Indiana Program for Law-Related Education;

Whereas, The "We the People..." program is based on a classroom curriculum that complements the regular school curriculum by providing upper elementary, middle, and high school students with an innovative course of instruction on the history and principles of constitutional democracy in the United States;

Whereas, Teams mastering their subjects compete in competitions throughout Indiana's nine congressional districts and finally at one state competition with representative teams from each district;

Whereas, The "We the People..." program was designed to include a wide range of students with varying abilities;

Whereas, The Fishers High School team members list strong family relationships developed, along with the skills gained as highlights of the experience;

Whereas, Hard work and dedication by team members and coach Liz Paternoster helped the Fishers High School team go from an underdog to a state champion; and

Whereas, Involvement with the "We the People..." program allows students to develop a greater commitment to democratic principles and values and promotes political tolerance, and teachers like Liz Paternoster help to prepare the youth of the state of Indiana for a future that will encourage their understanding and participation in our democratic system of government: 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 Liz Paternoster and the Fishers High School team on their victory in the "We the People... the Citizen and the Constitution" competition and encourages Ms. Paternoster to continue to instill in each team member a commitment to democratic principles.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to team members Abigail M. Aylward, Colin J. Burke, Ryan J. Elliott, Jason A. Feuerstine, Thomas J. Gaier, Janka Gal, Caroline M. Hewitt, Jake A. Jensen, Meghan McCann, Halley Rose Meslin, Jacob M. Patterson, Braden T. Quackenbush, Jeremy F. Shen, Xiaohong Tan, Dimitar T. Tcholakov, Jessica N. Tease, Elliott M. Williams, and Sally Wolf, coach Liz Paternoster, advisors Robert Dyson, Geoff Tease, Mike Fassold, Taylor Schueth, Jessica Schnelker, Mary Gaier, and Chris Edwards, principal Jason Urban, and superintendent Dr. Brian Smith.

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

Senate Concurrent Resolution 15

The Speaker handed down Senate Concurrent Resolution 15, sponsored by Representatives Soliday and Niemeyer:

A CONCURRENT RESOLUTION congratulating Morgan Township Elementary School for winning a National Blue Ribbon Award.

Whereas, In 2013, the United States Secretary of Education Arne Duncan awarded Morgan Township Elementary School,

of the East Porter County School Corporation, a National Blue Ribbon, with only 285 other schools across the entire country receiving the award last year as well;

Whereas, The National Blue Ribbon School Program was founded to recognize public and private elementary, middle, and high schools where students perform at very high levels or where significant improvements are being made in students' academic achievement;

Whereas, Morgan Township Elementary School was bestowed this mark of excellence for the school and students' exemplary performance, which is measured by national and state assessments;

Whereas, Morgan Township was also recognized with this honor for Principal Michelle Friesen-Carper's efforts to provide an atmosphere that encourages each student to work to his or her potential, for the teachers' efforts to work collaboratively to ensure each student succeeds, and for the parents' efforts to provide a solid foundation for their children's futures; and

Whereas, This merit-based distinction is a testament to Morgan Township Elementary School's overall dedication, its academic success, and its history of achievement: 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 Morgan Township Elementary School for winning a National Blue Ribbon Award.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Morgan Township Elementary School, Principal Michelle Friesen-Carper, and the Superintendent of the East Porter County School Corporation, Dr. Rod Gardin.

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.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Hamm be removed as 1st sponsor and Representative Frye be substituted therefor and Representative Hamm be added as cosponsor of Senate Bill 56.

HAMM

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as cosponsor of Engrossed Senate Bill 111.

LEHE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Richardson be added as cosponsor of Engrossed Senate Bill 114.

CHERRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lucas be added as cosponsor of Engrossed Senate Bill 229.

EBERHART

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Shackelford be added as cosponsor of Engrossed Senate Bill 262.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lucas be added as cosponsor of Engrossed Senate Bill 266.

OBER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Clere and Dermody be added as cosponsors of Engrossed Senate Bill 339.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Rhoads be removed as 1st sponsor and Representative McMillin be substituted therfor and Representative Rhoads be added as cosponsor of Senate Bill 421.

RHOADS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hale be removed as coauthor of House Bill 1306.

FRIEND

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as coauthor of House Concurrent Resolution 19.

TURNER

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 14 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Sullivan, the House adjourned at 2:20 p.m., this Eleventh day of February, 2014, until Thursday, February 13, 2014, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives