



Journal of the House

State of Indiana

118th General Assembly

Second Regular Session

Fifteenth Day

Tuesday Morning

February 4, 2014

The invocation was offered by Wesley H. Culver.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Terri Jo Austin.

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

Arnold	Kubacki
Austin	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Battles	Lucas
Bauer	Lutz
Behning	Macer
Beumer	Mahan
Braun	Mayfield
C. Brown <input type="checkbox"/>	McMillan
T. Brown	McNamara
Burton	Messmer
Candelaria Reardon	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cox	Neese <input type="checkbox"/>
Culver	Negele <input type="checkbox"/>
Davisson <input type="checkbox"/>	Niemeyer
DeLaney	Niezgodski
Dermody <input type="checkbox"/>	Ober
DeVon	Pelath
Dvorak	Pierce
Eberhart	Porter
Errington	Price
Forestal	Pryor
Friend	Rhoads
Frizzell	Richardson
Frye	Riecken
GiaQuinta	Saunders
Goodin	Shackelford
Gutwein	Slager
Hale <input type="checkbox"/>	Smaltz
Hamm <input type="checkbox"/>	M. Smith
Harman	V. Smith
Harris	Soliday <input type="checkbox"/>
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 214: 89 present; 11 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 Monday, February 10, 2014, at 1:30 p.m.

FRIEND

The motion was adopted by a constitutional majority.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 9 were read a first time by title and referred to the respective committees:

SB 3 — Steuerwald, McMillin, Koch

Committee on Courts and Criminal Code

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

SB 4 — Frye, Heaton

Committee on Natural Resources

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

SB 16 — Clere, Cox

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 19 — Steuerwald, McMillin

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 24 — Steuerwald, McMillin

Committee on Judiciary

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

SB 27 — Richardson

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 31 — McMillin

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

- SB 32** — McNamara, Richardson
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- SB 44** — Clere, Bartlett
Committee on Public Health
A BILL FOR AN ACT concerning health.
- SB 51** — Bacon
Committee on Public Health
A BILL FOR AN ACT concerning health.
- SB 54** — DeVon
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT concerning pensions.
- SB 56** — Hamm
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.
- SB 57** — Hamm
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.
- SB 58** — Hamm
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.
- SB 63** — McMillin, Steuerwald
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 106** — Negele, Mahan
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- SB 107** — Wolkins, Morris
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.
- SB 111** — Lehe, Cherry
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 114** — Cherry, Torr
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 117** — Frizzell
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.
- SB 138** — Kubacki, Lawson
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.
- SB 142** — T. Brown
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- SB 158** — T. Brown, Huston, Goodin
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 179** — Clere
Committee on Agriculture and Rural Development
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.
- SB 207** — M. Smith, Goodin
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 209** — Burton, Moed
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.
- SB 227** — McMillin, Frye, Hale
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 229** — Eberhart
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.
- SB 236** — Steuerwald, McMillin
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 238** — Frye, GiaQuinta
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- SB 246** — Washburne
Committee on Judiciary
A BILL FOR AN ACT concerning probate.
- SB 248** — Clere
Committee on Public Health
A BILL FOR AN ACT concerning human services.
- SB 249** — VanNatter
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 254** — Dermody, Niezgodski
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.
- SB 266** — Ober, Culver
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 273** — Cherry, VanNatter
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 285 — Davisson, Frizzell, C. Brown
Committee on Public Health

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

SB 330 — Heuer, Thompson
Committee on Education

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

SB 331 — Zent, Baird, VanDenburgh, Macer
Committee on Education

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

SB 339 — Torr, Cherry
Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 16

Representative Koch introduced House Concurrent Resolution 16:

A CONCURRENT RESOLUTION recognizing the General Motors Bedford Powertrain plant.

Whereas, General Motors has recognized the Bedford Powertrain plant as a Center of Expertise;

Whereas, This designation means that other General Motors plants will now rely on the expertise of the Bedford plant;

Whereas, Through their dedication and hard work, the employees at Bedford have proven the plant to be one of the leading aluminum die casting and semipermanent mold operation facilities in the world;

Whereas, This plant has gone through challenging times;

Whereas, In order to achieve this success, the plant and its employees have had to adapt to changing times in the auto industry;

Whereas, Once employing more than 1,000 people when more hands-on tasks were required, the plant now employs 612 hourly and salaried workers; and

Whereas, It is fitting that we recognize the accomplishments of the dedicated employees of the General Motors Bedford Powertrain plant: 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 congratulates the General Motors Bedford Powertrain plant on their selection as a Center of Expertise.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Eric Gonzales, plant manager, Scott Moore, President of the United Auto Workers Local 440, Russ Wheeler, Shop Steward IBEW Local 16, Tim Solso, Chairman of General Motors, and Mary Barra, CEO of General Motors.

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 Steele.

OTHER BUSINESS ON THE SPEAKER'S TABLE

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1013, Roll Call 60, on January 27, 2014. In support of this petition, I submit the following reason:

"I was present in the chamber, but when I attempted to vote, the machine had closed. I intended to vote yea."

DELANEY

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 60 to 93 yeas, 0 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1042, Roll Call 124, on January 30, 2014. In support of this petition, I submit the following reason:

"I was present in the chamber, but when I attempted to vote, the machine had closed. I intended to vote yea."

MOED

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 124 to 73 yeas, 22 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1051, Roll Call 125, on January 30, 2014. In support of this petition, I submit the following reason:

"I was present in the chamber, but when I attempted to vote, the machine had closed. I intended to vote yea."

DELANEY

There being a constitutional majority voting in favor of the petition, the petition was adopted.

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1051, Roll Call 125, on January 30, 2014. In support of this petition, I submit the following reason:

"I was present in the chamber, but when I attempted to vote, the machine had closed. I intended to vote yea."

FORESTAL

There being a constitutional majority voting in favor of the petition, the petition was adopted.

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1051, Roll Call 125, on January 30, 2014. In support of this petition, I submit the following reason:

"I was present in the chamber, but when I attempted to vote, the machine had closed. I intended to vote yea."

MOED

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: adoption of the petitions of Representative DeLaney, Forestal, and Moed changes the vote tally for Roll Call 125 to 83 yeas, 10 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1058, Roll Call 62, on January 27, 2014. In support of this petition, I submit the following reason:

“I was present in the chamber, but when I attempted to vote, the machine had closed. I intended to vote yea.”

HUSTON

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 62 to 93 yeas, 0 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1083, Roll Call 178, on February 3, 2014. In support of this petition, I submit the following reason:

“I was present in the chamber, but when I attempted to vote, I inadvertently pushed the yea button when I intended to vote nay.”

BAUER

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 178 to 65 yeas, 28 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1140, Roll Call 47, on January 23, 2014. In support of this petition, I submit the following reason:

“I was present in the chamber, but when I attempted to vote, I inadvertently pushed the nay button when I intended to vote yea.”

AUSTIN

There being a constitutional majority voting in favor of the petition, the petition was adopted.

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1140, Roll Call 47, on January 23, 2014. In support of this petition, I submit the following reason:

“I was present in the chamber, but when I attempted to vote, I inadvertently pushed the yea button when I intended to vote nay.”

NIEZGODSKI

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: adoption of the petitions of Representatives Austin and Niezgodski leaves the vote tally for Roll Call 47 at 81 yeas, 15 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1196, Roll Call 185, on February 3, 2014. In support of this petition, I submit the following reason:

“I was present in the chamber, but when I attempted to vote, I inadvertently pushed the yea button when I intended to vote nay.”

UBELHOR

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 185 to 57 yeas, 39 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on Representative Sullivan's second reading amendment (Amendment 7) to House Bill 1205, Roll Call 71, on January 28, 2014. In support of this petition, I submit the following reason:

“I was present in the chamber, but when I attempted to vote, I inadvertently pushed the yea button when I intended to vote nay.”

MOED

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 71 to 48 yeas, 37 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1380, Roll Call 206, on February 3, 2014. In support of this petition, I submit the following reason:

“I was present in the chamber, but when I attempted to vote, the machine had closed. I intended to vote yea.”

HALE

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 206 to 95 yeas, 0 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on Representative Candelaria Reardon's second reading amendment (Amendment 1) to House Bill 1403, Roll Call 138, on January 30, 2014. In support of this petition, I submit the following reason:

“I was present in the chamber, but when I attempted to vote, the machine had closed. I intended to vote yea.”

GOODIN

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 138 to 37 yeas, 57 nays.*]

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 8 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 Candelaria Reardon, the House adjourned at 10:30 a.m., this fourth day of February, 2014, until Monday, February 10, 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