



# Journal of the Senate

State of Indiana

120th General Assembly

Second Regular Session

Third Meeting Day

Thursday Morning

January 4, 2018

The Senate convened at 9:36 a.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Senator Dennis K. Kruse.

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

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

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

Roll Call 4: present 44; excused 5. [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.

## INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

**SB 0177** — Kruse (Education and Career Development)

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

**SB 0271** — Taylor G (Corrections and Criminal Law)

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

**SB 0272** — Taylor G (Education and Career Development)

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

**SB 0273** — Bassler (Public Policy)

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

**SB 0274** — Bassler (Environmental Affairs)

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

**SB 0275** — Bassler, Ford, Koch (Natural Resources)

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

**SB 0276** — Bassler (Tax and Fiscal Policy)

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

**SB 0277** — Bassler, Messmer, Kruse (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 0278** — Boots (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 0279** — Boots (Agriculture)

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

**SB 0280** — Boots (Corrections and Criminal Law)

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

**SB 0281** — Boots (Pensions and Labor)

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

**SB 0282** — Boots (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 0283** — Boots (Veterans Affairs and The Military)

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

**SB 0284** — Lanane (Insurance and Financial Institutions)

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

**SB 0285** — Lanane (Judiciary)

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

- SB 0286** — Lanane (Environmental Affairs)  
A BILL FOR AN ACT concerning environmental law.
- SB 0287** — Lanane (Elections)  
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 0288** — Ford (Homeland Security and Transportation)  
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- SB 0289** — Ford (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 0290** — Ford (Pensions and Labor)  
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.
- SB 0291** — Young M (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0292** — Young M (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0293** — Young M (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0294** — Young M (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0295** — Young M (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0296** — Raatz (Civil Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 0298** — Raatz (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.
- SB 0299** — Raatz (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.
- SB 0300** — Raatz, Messmer, Kruse (Commerce and Technology)  
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- SB 0301** — Raatz (Commerce and Technology)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- SB 0302** — Raatz (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.
- SB 0303** — Raatz, Kruse (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0304** — Tallian (Elections)  
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 0305** — Tallian (Pensions and Labor)  
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety and to make an appropriation.
- SB 0306** — Tallian (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0307** — Tallian (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- SB 0308** — Tallian (Pensions and Labor)  
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.
- SB 0309** — Tallian (Insurance and Financial Institutions)  
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety and to make an appropriation.
- SB 0310** — Tallian (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0311** — Withdrawn
- SB 0312** — Stoops (Natural Resources)  
A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.
- SB 0313** — Stoops (Natural Resources)  
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.
- SB 0314** — Stoops (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0315** — Stoops (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0316** — Stoops (Agriculture)  
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.
- SB 0318** — Stoops (Utilities)  
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and to make an appropriation.
- SB 0319** — Stoops (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

- SB 0320** — Breaux (Environmental Affairs)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- SB 0321** — Breaux (Health and Provider Services)  
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.
- SB 0322** — Breaux (Commerce and Technology)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- SB 0323** — Breaux (Health and Provider Services)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0324** — Breaux (Elections)  
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 0325** — Walker (Insurance and Financial Institutions)  
A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.
- SB 0326** — Walker (Elections)  
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 0327** — Walker (Elections)  
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 0328** — Walker (Elections)  
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 0329** — Walker (Elections)  
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 0330** — Leising (Agriculture)  
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.
- SB 0332** — Grooms (Family and Children Services)  
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.
- SB 0334** — Grooms (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0335** — Grooms (Health and Provider Services)  
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- SB 0336** — Merritt (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0337** — Merritt (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0338** — Merritt (Health and Provider Services)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- SB 0339** — Merritt (Civil Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- SB 0340** — Holdman (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- SB 0341** — Holdman (Insurance and Financial Institutions)  
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.
- SB 0342** — Tomes (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.
- SB 0343** — Mrvan (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.
- SB 0344** — Mrvan (Public Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning gaming.
- SB 0345** — Taylor G (Insurance and Financial Institutions)  
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.
- SB 0347** — Taylor G (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- SB 0348** — Taylor G (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.
- SB 0350** — Kruse (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0351** — Kruse (Commerce and Technology)  
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- SB 0352** — Kruse (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0353** — Kruse (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 0354** — Kruse (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0355** — Kruse (Commerce and Technology)  
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

- SB 0356** — Houchin, Koch (Utilities)  
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- SB 0357** — Houchin (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0358** — Perfect (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- SB 0359** — Perfect (Pensions and Labor)  
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.
- SB 0360** — Charbonneau (Health and Provider Services)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- SB 0361** — Charbonneau (Environmental Affairs)  
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.
- SB 0362** — Charbonneau (Environmental Affairs)  
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.
- SB 0363** — Charbonneau (Health and Provider Services)  
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- SB 0364** — Melton, Kruse (Appropriations)  
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 0365** — Melton (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0366** — Melton (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0367** — Melton (Education and Career Development)  
A BILL FOR AN ACT concerning education.
- SB 0368** — Melton (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0369** — Head (Pensions and Labor)  
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.
- SB 0370** — Doriot (Agriculture)  
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.
- SB 0371** — Doriot (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

- SB 0372** — Holdman (Civil Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.
- SB 0373** — Walker (Pensions and Labor)  
A BILL FOR AN ACT to amend the Indiana Code concerning pensions and to make an appropriation.

## RESOLUTIONS ON FIRST READING

### Senate Concurrent Resolution 3

Senate Concurrent Resolution 3, introduced by Senator Buck:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename the bridge at State Road 28 (Walnut Avenue) in Frankfort the "Staff Sergeant Jamie Jarboe Bridge".

*Whereas, Staff Sergeant Jamie Jarboe died March 21, 2012, in Topeka, Kansas, from wounds suffered on April 10, 2011, in Kandahar province, Afghanistan, when enemy forces attacked his unit with small-arms fire;*

*Whereas, Staff Sergeant Jamie Jarboe had been deployed to Afghanistan only months before he was shot in the neck, an injury that left him a quadriplegic;*

*Whereas, Twenty-seven-year-old Staff Sergeant Jamie Jarboe underwent more than 100 surgeries in the 12 months before he succumbed to his injuries;*

*Whereas, A 2003 graduate of Frankfort High School, Staff Sergeant Jarboe was a member of the 4th Squadron, 4th Cavalry Regiment, 1st Heavy Brigade Combat Team of the 1st Infantry Division from Fort Riley known as the Pale Riders;*

*Whereas, Staff Sergeant Jarboe joined the Indiana National Guard in 2005 and attended basic and advanced individual training at Fort Sill, Oklahoma;*

*Whereas, His military assignments included B Battery, 1st Battalion, 320 Field Artillery at Fort Campbell, Kentucky, and Troop A, 4th Squadron, 4th Cavalry, 1st Heavy Brigade Combat Team;*

*Whereas, Staff Sergeant Jarboe's dedication and devotion to service was recognized with the Bronze Star Medal, the Purple Heart, the Army Commendation Medal (awarded three times), the Army Achievement Medal, the Good Conduct Medal (awarded twice), the National Defense Service Medal, the Afghanistan Campaign Medal (ICS), the Iraq Campaign Medal (3CS), the Global War on Terrorism Service Medal, the Armed Forces Reserve Medal (M Device), the NCO Professional Development Ribbon, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal, the Combat Action Badge, the Air Assault Badge, and the Expert Marksmanship Badge (Rifle);*

*Whereas, A soldier's soldier, Staff Sergeant Jamie Jarboe dedicated his life to his country and his family; and*

*Whereas, Throughout history, brave individuals like Staff Sergeant Jamie Jarboe have made the ultimate sacrifice in defense of freedom throughout the world; without individuals like Staff Sergeant Jarboe, freedom could not survive: 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 urges the Indiana Department of Transportation to rename the bridge at State Road 28 (Walnut Avenue) in Frankfort the "Staff Sergeant Jamie Jarboe Bridge".

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to the family of Staff Sergeant Jamie Jarboe and the Commissioner of the Indiana Department of Transportation.

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

#### **Senate Resolution 5**

Senate Resolution 5, introduced by Senator M. Young:

A SENATE RESOLUTION supporting Taiwan's signing of a Bilateral Trade Agreement with the United States and reaffirming support for increasing Taiwan's international profile and for strengthening sister-state ties between Indiana and Taiwan.

*Whereas, The State of Indiana is proud of the sister-state relationship it has enjoyed with the Republic of China (Taiwan) since 1979, marked by strong bilateral trade, educational and cultural exchange, and tourism;*

*Whereas, Taiwan shares the same values of freedom, democracy, human rights, the rule of law, peace, and prosperity with the United States and the State of Indiana;*

*Whereas, The United States ranks as Taiwan's second largest trading partner, Taiwan is the tenth largest trading partner of the United States, and bilateral trade reached \$65.3 billion in 2016;*

*Whereas, Taiwan and the State of Indiana have enjoyed a long and mutually beneficial relationship with the prospect of future growth, and Taiwan was Indiana's 7th largest export market in Asia in 2016, with \$181.04 million worth of Indiana goods exported to Taiwan;*

*Whereas, Negotiations for a Bilateral Trade Agreement (BTA) between Taiwan and the United States are an important step toward further strengthening bilateral trade between our countries, thereby increasing Indiana's exports to Taiwan and creating bilateral investment and technical collaboration through tariff reduction and other trade facilitation measures; and*

*Whereas, Taiwan has undertaken a policy of "steadfast diplomacy" in its international relations, is capable of and willing to fulfill its responsibilities, and is willing to collaborate with the world to deal with the challenges of humanitarian aid, disease control and so forth: Therefore,*

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

SECTION 1. That the Indiana Senate reaffirms its commitment to the strengthening and deepening of the sister-state relationship between Taiwan and the State of Indiana, endorses Taiwan's efforts to secure the signing of the Bilateral Trade Agreement (BTA) with the United States, offers its continued support to Taiwan's meaningful participation in international organizations which impact the health, safety and well-being of its people, and supports its aspiration to make more contributions in international societies.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the members of the Indiana Congressional Delegation and the Taipei Economic and Cultural Office in Chicago, Illinois.

The resolution was read in full and referred to the Committee on Public Policy.

#### **REPORTS FROM COMMITTEES**

##### COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 27, 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 0.

BOOTS, Chair

Report adopted.

##### COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 119, 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 0.

BOOTS, Chair

Report adopted.

#### **REPORT OF THE PRESIDENT PRO TEMPORE**

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 122, currently assigned to the Committee on Local Government, be reassigned to the Committee on Corrections and Criminal Law.

LONG

Report adopted.

SENATE MOTION

Madam President: I move that Senator Ford be added as third author of Senate Bill 15.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ford be added as third author of Senate Bill 159.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ford be added as second author of Senate Bill 184.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as coauthor of Senate Bill 217.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as third author and Senators Head and Holdman be added as coauthors of Senate Bill 218.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 298.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 302.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, January 8, 2018.

LONG

Motion prevailed.

The Senate adjourned at 9:44 a.m.

JENNIFER L. MERTZ  
Secretary of the Senate

SUZANNE CROUCH  
President of the Senate