



Journal of the House

State of Indiana

119th General Assembly

First Regular Session

Seventh Day

Thursday Morning

January 15, 2015

The invocation was offered by Pastor Gary McManus of Daleville Christian Church in Danville, a guest of Representative Melanie Wright.

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 Randolph P. Truitt.

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

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

Truitt
Ubelhor
VanNatter
Washburne
Wesco

Wolkins
Wright
Zent
Ziemke
Mr. Speaker

Roll Call 7: 98 present; 2 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 Tuesday, January 20, 2015, at 1:30 p.m.

FRIEND

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1017, 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, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 2. IC 9-13-2-56, AS AMENDED BY P.L.210-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 56. "Farm tractor" means a **motor vehicle designed and used primarily as a farm self-propelled implement of agriculture designed and used primarily as a farm implement** for drawing implements of agriculture used on a farm and, when using the highways, in traveling from one (1) field or farm to another or to or from places of repairs. ~~The term includes a wagon, trailer, or other vehicle pulled by a farm tractor.~~ "

Page 3, line 15, after "(2)" insert "**logs**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1017 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

SOLIDAY, Chair

Report adopted.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 8 were read a first time by title and referred to the respective committees:

HB 1001 — Brown T, Porter

Committee on Ways and Means

A BILL FOR AN ACT concerning state offices and administration and to make an appropriation.

HB 1002 — Bosma, Pelath, Steuerwald, Kersey
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1003 — Bosma, Pelath
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1004 — Sullivan, Bosma, Slager
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1005 — Smaltz, Ubelhor, Carbaugh
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1006 — Steuerwald, McMillin, Pierce, Lawson L
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning corrections and to make an appropriation.

HB 1007 — Kirchhofer, Olthoff
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

HB 1008 — Ober, Richardson, Smith M
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1009 — Behning, Thompson
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1010 — McMillin
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and to make an appropriation.

RESOLUTIONS ON FIRST READING

House Resolution 1

Representatives V. Smith, Summers, Harris, Porter, Bartlett, C. Brown, Pryor and Shackelford introduced House Resolution 1:

A HOUSE RESOLUTION commemorating Dr. Martin Luther King Jr. Day.

Whereas, January 19, 2015, will mark the 30th national celebration of the holiday for Dr. Martin Luther King Jr. and his fight for civil and human rights;

Whereas, Dr. Martin Luther King Jr. and the Civil Rights Movement serve as a model of principled leadership and forward-thinking public policy;

Whereas, Dr. Martin Luther King Jr. was one of our nation's truly great leaders who changed the nation forever through his leadership, service, and clarity of vision;

Whereas, Through his determination, spirit, and resolve, Dr. Martin Luther King Jr. helped lift souls and lead one of the greatest movements for equality and freedom in history;

Whereas, Dr. Martin Luther King Jr. had many dreams: of an America where "justice rolls down like waters and righteousness like a mighty stream", where neighbors look "beyond the external accidents and discern those inner qualities that make all men human and, therefore, brothers", and of a time when "this nation will rise up and live out the true meaning of its creed, 'we hold these truths to be self evident: that all men are created equal'";

Whereas, Dr. Martin Luther King Jr. dreamt of a better society where "the sons of former slaves and the sons of former slave owners will be able to sit together at the table of brotherhood";

Whereas, Dr. Martin Luther King Jr. believed that liberty, justice, and freedom were the "inalienable rights" to which all men, women, and children are entitled;

Whereas, Dr. Martin Luther King Jr. was a spiritual man who believed that all people are created equal in the sight of God and in the dignity and self-worth of every individual;

Whereas, Dr. Martin Luther King Jr. gave his life defending his beliefs;

Whereas, The visions of Dr. Martin Luther King Jr. continue to bring hope and inspiration to people of all nations;

Whereas, Dr. Martin Luther King Jr. fought to change public policy from the "self-inflicted wound of segregation to the pluralistic diverse democracy" we continue to construct today;

Whereas, Dr. Martin Luther King Jr., a recipient of the Nobel Prize, is a national hero whose birthday is celebrated as a day of peace, love, and understanding by a grateful nation; and

Whereas, All Americans must continue to gather inspiration from the life of Dr. Martin Luther King Jr. and strive to realize his dreams: Therefore,

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

SECTION 1. That it is fitting and proper that Dr. Martin Luther King Jr. be remembered and recognized by future generations of Americans.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the family of Dr. Martin Luther King Jr.

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

House Resolution 2

Representative Carbaugh introduced House Resolution 2:

A HOUSE RESOLUTION urging the legislative council to assign to the appropriate study committee the topic of the Indiana Long Term Care Partnership Program.

Whereas, The Indiana Long Term Care Partnership Program was established as a partnership between state government, federal government, and private long term care insurance companies;

Whereas, This partnership was designed to help Hoosiers understand and make good decisions regarding their long term care needs and to help them protect their savings from the high cost of this care;

Whereas, In order to ensure that this program is performing at the highest possible level, the progress of the Indiana Long Term Care Partnership Program should be reviewed;

Whereas, It should be determined if there are new ways to enhance and expand the existing program to include plans developed by the insurance industry; and

Whereas, Because Hoosiers are living longer than ever before, it is vital that our population be protected from a catastrophic loss of funds that could result from a unprotected long term care need: Therefore,

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

SECTION 1. That the legislative council is urged to assign to the appropriate study committee the topic of the Indiana Long Term Care Partnership Program.

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

Senate Concurrent Resolution 6

The Speaker handed down Senate Concurrent Resolution 6, sponsored by Representative Cherry:

A CONCURRENT RESOLUTION congratulating the New Palestine High School football team on its Class 4A state championship victory.

Whereas, On November 28, 2014, the New Palestine High School football team defeated New Prairie High School 77-42 to capture the Class 4A state championship title;

Whereas, In defeating the New Prairie Cougars, the second-ranked New Palestine Dragons finished out an undefeated season of 15-0;

Whereas, During the championship game, the Dragons set several Indiana state final records, including most total points overall, most total yards overall, most touchdowns and extra points overall, and a Class 4A record for the most rushing yards and points in a half;

Whereas, Individually, quarterback Alex Neligh tied a finals record with five touchdown passes; James Young ran 17 times for a Class 4A record of 282 yards and two scores including a finals record 98-yard run; Kyle Barton set a new record with 11 extra-point kicks; and Duke Blackwell caught five passes for 130 yards and three touchdowns to tie the finals record for scoring receptions; and

Whereas, The Dragons exceptional victory improved Coach Kyle Ralph's career with New Palestine to 28-1: 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 the New Palestine High School football team on its historic championship victory and wishes its players continued success in all of their future endeavors.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the New Palestine High School football team, Coach Kyle

Ralph and the other members of the coaching staff, and New Palestine Principal, Keith Fessler.

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.

HOUSE BILLS ON SECOND READING

House Bill 1050

Representative Ober called down House Bill 1050 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1068

Representative Thompson called down House Bill 1068 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1068-3)

Mr. Speaker: I move that House Bill 1068 be amended to read as follows:

Page 3, after line 29, begin a new paragraph and insert:

"(h) A school corporation, a charter school, or an accredited nonpublic school may not obtain a credit report as part of an expanded criminal history check for an applicant or school employee unless the school corporation, charter school, or accredited nonpublic school determines the report is necessary because the applicant or employee is responsible for the administration or distribution of funds of the school corporation, charter school, or accredited nonpublic school."

(Reference is to HB 1068 as printed January 13, 2015.)

AUSTIN

Representative Thompson withdrew the call of HB 1068.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Olthoff be added as coauthor of House Bill 1010.

MCMILLIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Braun be added as coauthor of House Bill 1017.

CHERRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives V. Smith and Cook be added as coauthors of House Bill 1056.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as coauthor of House Bill 1082.

MACER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hale be added as coauthor of House Bill 1101.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hale be added as coauthor of House Bill 1102.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Riecken be added as coauthor of House Bill 1108.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moseley be added as coauthor of House Bill 1109.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative GiaQuinta be added as coauthor of House Bill 1119.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be added as coauthor of House Bill 1123.

PORTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Ober and Carbaugh be added as coauthors of House Bill 1150.

MACER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Forestal and Macer

be added as coauthors of House Bill 1182.

FRYE R

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Schaibley be added as coauthor of House Bill 1194.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lucas be added as coauthor of House Bill 1203.

ARNOLD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moed be added as coauthor of House Bill 1204.

ARNOLD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Morris be added as coauthor of House Bill 1243.

JUDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as coauthor of House Bill 1256.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Clere and Porter be added as coauthors of House Bill 1259.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Ober, Kirchofer and Moed be added as coauthors of House Bill 1273.

HUSTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bauer be added as coauthor of House Bill 1295.

WESCO

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Forestal be added as coauthor of House Bill 1301.

MCMILLIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Pierce and Summers be added as coauthors of House Bill 1302.

MCMILLIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Mahan and Burton be added as coauthors of House Bill 1303.

MCMILLIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pierce be added as coauthor of House Bill 1305.

MCMILLIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hale be added as coauthor of House Bill 1317.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as coauthor of House Bill 1327.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as coauthor of House Bill 1334.

STEMLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Davisson be added as coauthor of House Bill 1387.

GOODIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bauer be added as coauthor of House Bill 1428.

WESCO

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Harman be added as coauthor of House Bill 1481.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1488.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Arnold be added as coauthor of House Bill 1490.

MAYFIELD

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 Resolutions 5 and 6 and the same are herewith transmitted to the House for further action.

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 House Concurrent Resolution 5 and the same is herewith returned to the House.

JENNIFER L. MERTZ

Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Fine, the House adjourned at 10:55 a.m., this fifteenth day of January, 2015, until Tuesday, January 20, 2015, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives