



Journal of the Senate

State of Indiana

120th General Assembly

First Regular Session

Fifth Meeting Day

Tuesday Afternoon

January 10, 2017

The Senate convened at 1:33 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Reverend Randy Scott, Pentecostals of South Lake.

The Pledge of Allegiance to the Flag was led by Senator Ricky N. Niemeyer.

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

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

Roll Call 6: present 46; excused 4. [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 0295 — Leising (Rules and Legislative Procedure)

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

SB 0350 — Eckerty (Appropriations)

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

SB 0351 — Eckerty (Veterans Affairs and The Military)

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

SB 0352 — Eckerty (Rules and Legislative Procedure)

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

SB 0353 — Head (Civil Law)

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

SB 0354 — Ford (Public Policy)

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

SB 0355 — Messmer (Family and Children Services)

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

SB 0356 — Messmer (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

SB 0357 — Zakas (Homeland Security and Transportation)

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

SB 0358 — Alting (Public Policy)

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

SB 0359 — Lanane (Education and Career Development)

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

SB 0360 — Lanane (Rules and Legislative Procedure)

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

SB 0361 — Lanane (Rules and Legislative Procedure)

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

SB 0362 — Lanane (Rules and Legislative Procedure)

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

SB 0363 — Lanane (Rules and Legislative Procedure)

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

- SB 0364** — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 0365** — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0366** — Zay (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- SB 0367** — Bassler (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0368** — Bassler (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 0369** — Stoops (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- SB 0370** — Stoops (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 0371** — Stoops (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 0372** — Stoops (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 0373** — Delph (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.
- SB 0374** — Delph (Civil Law)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.
- SB 0375** — Raatz (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- SB 0376** — Houchin (Utilities)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.
- SB 0377** — Raatz (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- SB 0378** — Grooms (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 0379** — Grooms (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 0380** — Buck (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- SB 0381** — Buck (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- SB 0382** — Crider (Veterans Affairs and The Military)
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.
- SB 0383** — Crider (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.
- SB 0384** — Crider (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.
- SB 0385** — Crider (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning gaming.
- SB 0386** — Niemeyer (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 0387** — Tomes (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.
- SB 0388** — Breaux (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- SB 0389** — Breaux (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- SB 0390** — Stoops (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.
- SB 0391** — Stoops (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 0392** — Stoops (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0393** — Stoops (Civil Law)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.
- SB 0394** — Stoops (Natural Resources)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.
- SB 0395** — Delph (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

- SB 0396** — Koch (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.
- SB 0397** — Koch (Natural Resources)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.
- SB 0398** — Koch (Natural Resources)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- SB 0399** — Freeman (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0400** — Freeman (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- SB 0401** — Freeman (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.
- SB 0402** — Merritt (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- SB 0403** — Merritt (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning controlled substances.
- SB 0404** — Houchin (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- SB 0405** — Houchin (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0406** — Houchin (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- SB 0407** — Houchin (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0408** — Houchin (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0409** — Houchin (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0410** — Houchin (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.
- SB 0411** — Houchin (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0412** — Koch (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning higher education and to make an appropriation.
- SB 0413** — Koch (Commerce and Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- SB 0414** — Koch (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.
- SB 0415** — Holdman (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 0416** — Charbonneau (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.
- SB 0417** — Walker (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 0418** — Walker (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 0419** — Merritt (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- SB 0420** — Bassler (Natural Resources)
A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.
- SB 0421** — Bassler (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.
- SB 0422** — Bassler (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0423** — Young M, Delph (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- SB 0424** — Young M (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SJ 0009** — Lanane (Rules and Legislative Procedure)
A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana.
- SJ 0010** — Lanane (Rules and Legislative Procedure)
A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana.
- SJ 0011** — Lanane (Rules and Legislative Procedure)
A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana.

SENATE MOTION

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

HCR 2 Senator Raatz
 Congratulating the Winchester Community High School band on their victory at the 2016 Indiana State Fair Band Day competition.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 2

House Concurrent Resolution 2, sponsored by Senator Raatz:

A CONCURRENT RESOLUTION congratulating the Winchester Community High School band on their victory at the 2016 Indiana State Fair Band Day competition.

Whereas, The Winchester Community High School band is an accomplished group of young musicians who have displayed their talents at competitions, parades, and concerts for many years;

Whereas, On Saturday, August 6, 2016, the Winchester Community High School band competed against 49 Indiana marching bands from all over the state of Indiana at the State Fair Band Day competition;

Whereas, The band also placed first in Class AAA and received the Best Music and Visual General Effect awards;

Whereas, No stranger to the winner's circle in State Fair Band Day competition, Winchester placed first in 1997, 2011, 2012, 2013, and 2015;

Whereas, The Winchester Community High School color guard worked to perfect its performance skills during the Indiana High School Color Guard Association's winter competition season with the show, "Pinky Swear";

Whereas, Competing in Class AA, the group earned the silver rank at the Pendleton, Danville, and Greenfield contests, finishing in second at Danville; the group earned a gold rank and second place at Zionsville, gold and third place at Carroll, gold and first in their round of the Anderson divisional contest, and earned a gold rank and third overall at the division finals in Mooresville;

Whereas, The Winchester percussion ensemble also worked to perfect its performance skills during the Indiana Percussion Association's winter competition season; competing in class PSB with the show, "Strings Attached", the group placed 11th at Franklin Central, 12th at Greenfield Central, seventh at Ben Davis, and tenth at the state finals at Avon; and

Whereas, The Winchester Community High School band has established a tradition of excellence through hard work and dedication: 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 wishes to congratulate the Winchester Community High School band on winning the 2016 Indiana State Fair Band Day competition and to wish them continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the members of the Winchester Community High School band, band director Douglas R. Fletcher, assistant directors Jeremiah Boes and Amy Fletcher, auxiliary director Ric VanSkyock and his assistant Mackenzie Mehaffey, assistant principal Karla Reed, principal Tom Osborn, and superintendent Dr. Greg Hinshaw.

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.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has adopted the following motion.

“Your Committee, appointed to wait upon Eric Holcomb and Suzanne Crouch, to inform them that they have been declared duly elected Governor and Lieutenant Governor, respectively, and to ascertain from them at what time it will be convenient for them to take the oath of office as prescribed in Article 15, Section 4 of the Constitution of the State of Indiana, hereby reports that it has discharged the duties assigned to it and that the duly elected Governor and Lieutenant Governor will take the oath of office and enter upon the discharge of their duties at 11:00 a.m. on January 9, 2017.”

The Speaker has appointed Representatives Brown T., Burton, Macer and Porter.

M. CAROLINE SPOTTS
 Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as coauthor of Senate Bill 262.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as second author of Senate Bill 377.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second author of Senate Bill 190.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be removed as second author of Senate Bill 88.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 10:00 a.m., Thursday, January 12, 2017.

LONG

Motion prevailed.

The Senate adjourned at 1:43 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate