



Journal of the House

State of Indiana

120th General Assembly

First Regular Session

Twenty-Ninth Day

Thursday Morning

March 9, 2017

The invocation was offered by Pastor Greg Allison of Franklin Park Church in Indianapolis, a guest of Representative Kirchhofer.

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 the Girl Scouts.

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

Arnold	Kirchhofer
Austin	Klinker
Aylesworth	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Bauer	Lucas
Behning	Lyness
Beumer <input type="checkbox"/>	Macer
Borders	Mahan
Braun	May
C. Brown <input type="checkbox"/>	Mayfield
T. Brown	McNamara
Burton	Miller
Candelaria Reardon	Moed
Carbaugh	Morris <input type="checkbox"/>
Cherry	Morrison
Clere	Moseley
Cook	Negele
Culver <input type="checkbox"/>	Nisly
Davisson	Ober
DeLaney	Olthoff
DeVon	Pelath
Dvorak <input type="checkbox"/>	Pierce
Eberhart	Porter <input type="checkbox"/>
Ellington	Pressel
Engleman	Pryor
Errington	Richardson
Forestal	Saunders
Friend	Schaibley
Frizzell	Shackleford
Frye	Siegrist
GiaQuinta	Slager
Goodin	Smaltz
Gutwein	M. Smith
Hamilton	V. Smith
Hamm	Soliday
Harris	Speedy
Hatfield	Stemler
Heaton	Steuerwald
Heine	Sullivan
Huston	Summers
Jordan	J. Taylor <input type="checkbox"/>
Judy	Thompson
Karickhoff	Torr
Kersey	VanNatter

Washburne
Wesco
Wolkins
Wright

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 248: 93 present; 7 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, March 13, 2017, at 1:30 p.m.

LEHMAN

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 18 were read a first time by title and referred to the respective committees:

SB 416 — Ober, Beumer, Stemler

Committee on Utilities, Energy and Telecommunications

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

SB 558 — Eberhart

Committee on Judiciary

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

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 23

The Speaker handed down Senate Concurrent Resolution 23, sponsored by Representatives DeVon, Dvorak and Wesco:

A CONCURRENT RESOLUTION honoring the Penn High School girls soccer team on its Indiana High School Athletic Association ("IHSAA") class 2-A state championship title.

Whereas, On October 29, 2016, the Penn High School girls soccer team won the Indiana High School Athletic Association ("IHSAA") class 2-A state championship game, defeating the Brebeuf Jesuit Braves 2-0 at Carroll Stadium in Indianapolis;

Whereas, Maya Lacognato and Kristina Lynch each scored goals during the second half of the game, and Sommer Domal proved steadfast in the goal as the Penn High School Kingsmen came away with their win over Brebeuf to claim the state championship;

Whereas, After three previous visits to the state championship game, including last year's 2-1 loss to Brebeuf, Penn High School took home the championship trophy this year;

Whereas, According to head coach Jeff Hart, the Kingsmen have had a tremendous program, with great players and great coaches;

Whereas, The Kingsmen finished their season with an impressive record of 22-0-1;

Whereas, The assist and goal from Kristina Lynch, her 26th and 38th of the season, respectively, gave her 102 points this season, which was the best in the state;

Whereas, The Penn High School girls soccer team will miss senior goalkeeper Sommer Domal next year, who recorded four saves in the state championship game, as well as senior midfielder Alexis Marks, who was named the Mental Attitude Award winner;

Whereas, The members of the Penn High School girls soccer team are student-athletes who balanced countless hours of soccer practices and games on top of a full academic course load; and

Whereas, It is fitting that the Indiana General Assembly congratulates the Penn High School girls soccer team on its successful season and state championship title: 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 honors the Penn High School girls soccer team on its 2016 IHSAA class 2-A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Jeff Hart, Head Coach of the Penn High School girls soccer team, Steve Hope, Principal of Penn High School, and Aaron Leniski, Athletic Director of Penn High School.

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 Concurrent Resolution 36

Representatives Schaibley and Cook introduced House Concurrent Resolution 36:

A CONCURRENT RESOLUTION congratulating the Westfield High School football team.

Whereas, The Westfield High School Shamrocks are the 2016-2017 Class 5A football state champions;

Whereas, The fifth-ranked Shamrocks (12-2) came into the championship game allowing just 14.8 points per game;

Whereas, Coming into the championship game, the Columbus East Olympians (13-2) had been averaging 46.8 points per game but were held to just 283 yards, with Westfield's defense amassing eight tackles for a loss and four sacks;

Whereas, Westfield High School had two crucial defensive stops in the second half to defeat No. 4 ranked Columbus East High School 16-13 to win its first football state championship;

Whereas, The Shamrocks took a 3-0 lead in the first quarter when Will Harrison kicked a 52 yard field goal, setting a state finals record;

Whereas, In addition to their prowess on the field, the Shamrocks excel in the classroom as well, maintaining a high grade point average while performing many hours of community service which included a food drive, a blood drive, a fundraiser to fight cancer, and a Special Olympics clinic; and

Whereas, The team's state championship and great season are the result of a total team effort, and each member of the team, the managers, and the coaching staff should be praised for their superior performance and team spirit: 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 Westfield High School football team on its Class 5A football state championship and wishes the players continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to each team member, student manager, assistant coach, head coach Jake Gilbert, athletic director Bill Davis, principal Dr. Stacy McGuire, and superintendent Dr. Sherry Grate.

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 Kenley.

House Concurrent Resolution 37

Representatives Siegrist, T. Brown, Klinker, Lehe and Negele introduced House Concurrent Resolution 37:

A CONCURRENT RESOLUTION memorializing Mark S. Davis.

Whereas, Mark S. Davis, West Lafayette, passed away on Saturday, March 4, 2017, at the age of 63;

Whereas, Born on September 9, 1953, in Kansas City, Missouri, Mark S. Davis graduated from West Lafayette High School and earned a law degree from Indiana University;

Whereas, Before opening his own independent law practice in Lafayette, Mark S. Davis worked in economic development in Indianapolis, Greater Lafayette, and Flint, Michigan;

Whereas, Mark S. Davis' career highlights include helping bring the Subaru plant to Lafayette, working on agreements with the United States and Canada on the Blue Water Bridge that spans the two countries, and helping to promote the Hoosier Heartland highway;

Whereas, A family-oriented man, Mark S. Davis was married to Mary Kay, and they had four daughters: Kristen (Edmundson), Nina (Sonnenberg), Catherine (Raquet), and Anna Davis;

Whereas, Mark S. Davis enjoyed reading spy/military novels, listening to jazz music, singing in the church choir, and visiting his eight grandchildren; and

Whereas, Mark S. Davis was truly an outstanding Hoosier who spent his time helping others: 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 expresses its deepest sympathies to the family of Mark S. Davis and honors his memory by remembering his many accomplishments.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the family of Mark S. Davis.

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 sponsors: Senators Altig and Hershman.

House Resolution 33

Representative Macer introduced House Resolution 33:

A HOUSE RESOLUTION honoring the Indy Thunder for their National Beep Baseball Association World Series win.

Whereas, The Indy Thunder beep baseball team is an organization for the blind and visually impaired community who wish to participate in an organized sport;

Whereas, The Indy Thunder was founded in January 2000, by team vice president, general manager, and coach Darnell Booker, who was a member of the Indianapolis Eagles team that won the National Beep Baseball Association World Series in 1990;

Whereas, The Indy Thunder had their best season of the decade, finishing 11-1 and winning the National Beep Baseball Association World Series held in Ames, Iowa on July 31, 2016;

Whereas, In addition to winning their second National Beep Baseball Association World Series, the Indy Thunder also won its own Indianapolis tournament for the first time in 10 years and won the Chicago tournament for the first time in the team's history; and

Whereas, Through high standards of sportsmanship, these beep baseball players have dedicated themselves to demonstrating their victorious ways in the community through service: 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 congratulates the Indy Thunder for their National Beep Baseball Association World Series victory and to wish them continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Indy Thunder team members and coaches.

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

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 19, 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 19 as printed January 24, 2017.)

Committee Vote: Yeas 12, Nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 119, 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 119 as reprinted February 17, 2017.)

Committee Vote: Yeas 8, Nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 130, 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 130 as printed January 18, 2017.)

Committee Vote: Yeas 10, Nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 263, 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 263 as printed February 10, 2017.)

Committee Vote: Yeas 12, Nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 366, 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 9, line 10, delete "may" and insert "shall".

Page 9, line 12, delete "may" and insert "shall".

Renumber all SECTIONS consecutively.

(Reference is to SB 366 as reprinted February 10, 2017.) and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 392, 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:

Delete the title and insert the following:

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

Page 1, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 2. IC 16-41-43-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3.5. Injectable epinephrine that is filled and used in accordance with this chapter must have an expiration date of not less than twelve (12) months from the date that the pharmacy dispenses the injectable epinephrine to the entity.**"

Page 1, line 13, delete "." and insert ", as an overdose intervention drug that is subject to IC 16-42-27."

Page 4, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 15. IC 21-44.5-2-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 5.5. Injectable epinephrine that is filled and used in accordance with this chapter must have an expiration date of not less than twelve (12) months from the date that the pharmacy dispenses the injectable epinephrine to the postsecondary educational institution.**"

Renumber all SECTIONS consecutively.

(Reference is to SB 392 as printed February 3, 2017.) 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 Local Government, to which was referred Senate Bill 456, 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 456 as reprinted February 21, 2017.)
Committee Vote: Yeas 12, Nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 549, 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 549 as printed January 31, 2017.)
Committee Vote: Yeas 8, Nays 0.

KIRCHHOFER, Chair

Report adopted.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 185

Representative Frye called down Engrossed Senate Bill 185 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Judy be added as cosponsor of Engrossed Senate Bill 43.

LUCAS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as cosponsor of Engrossed Senate Bill 77.

OBER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative GiaQuinta be added as cosponsor of Engrossed Senate Bill 263.

HEINE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Pryor and Stemler be added as cosponsors of Engrossed Senate Bill 366.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative DeLaney be added as cosponsor of Engrossed Senate Bill 443.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Washburne be removed as first sponsor and Representative Carbaugh be substituted therefor and Representative Washburne be added as cosponsor of Engrossed Senate Bill 539.

WASHBURNE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Speedy be added as cosponsor of Engrossed Senate Bill 558.

EBERHART

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Arnold, Austin, Aylesworth, Bacon, Baird, Bartlett, Bauer, Behning, Beumer, Borders, Braun, C. Brown, T. Brown, Burton, Candelaria Reardon, Carbaugh, Cherry, Clere, Cook, Culver, Davisson, DeLaney, DeVon, Dvorak, Eberhart, Ellington, Engleman, Errington, Forestal, Friend, Frizzell, Frye, GiaQuinta, Goodin, Gutwein, Hamilton, Hamm, Harris, Hatfield, Heaton, Heine, Huston, Jordan, Judy, Karickhoff, Kersey, Kirchhofer, Klinker, Lawson, Lehe, Lehman, Leonard, Lucas, Lyness, Macer, Mahan, May, Mayfield, McNamara, Miller, Moed, Morris, Morrison, Moseley, Negele, Nisly, Ober, Olthoff, Pierce, Porter, Pressel, Pryor, Richardson, Saunders, Schaibley, Shackelford, Siegrist, Slager, Smaltz, M. Smith, V. Smith, Soliday, Speedy, Stemler, Steuerwald, Sullivan, Summers, J. Taylor, Thompson, Torr, VanNatter, Washburne, Wesco, Wolkins, Wright, J. Young, Zent and Ziemke be added as cosponsors of House Concurrent Resolution 50.

BOSMA

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 31, 33, 34 and 50 and the same are 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 Pressel, the House adjourned at 10:35 a.m., this Ninth day of March, 2017, until Monday, March 13, 2017, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives