



Journal of the Senate

State of Indiana

119th General Assembly

Second Regular Session

Sixteenth Meeting Day

Wednesday Morning

February 3, 2016

The Senate convened at 10:31 a.m., with the President Pro Tempore of the Senate, Senator David C. Long, in the chair.

Prayer was offered by Lucas Holt - Executive Assistant at Capitol Commission Indiana - Danville.

The Pledge of Allegiance to the Flag was led by Senator Peter J. Miller.

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

Alting	Leising
Arnold	Long
Banks	Merritt
Bassler	Messmer
Becker	Miller, Patricia
Boots	Miller, Pete
Bray	Mishler
Breaux	Mrvan
Broden	Niemeyer
Brown	Perfect
Buck	Raatz
Charbonneau	Randolph <input checked="" type="checkbox"/>
Crider	Rogers
Delph	Schneider
Eckerty	Smith
Ford	Steele
Glick	Stoops
Grooms	Tallian
Head	Taylor
Hershman	Tomes
Holdman	Walker
Houchin	Waltz
Kenley	Yoder
Kruse	Young, M.
Lanane	Zakas

Roll Call 152: present 49; excused 1. [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:

HB 1002 — Mishler, Kenley, Kruse (Appropriations)

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

HB 1005 — Kruse (Education & Career Development)

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

HB 1012 — Becker (Family & Children Services)

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

HB 1013 — Head, Steele (Homeland Security & Transportation)

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

HB 1017 — Merritt (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1019 — Bray, Crider, Holdman, Taylor (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1022 — Glick, Kruse, Broden (Civil Law)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1024 — Holdman (Insurance & Financial Institutions)

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

HB 1025 — Yoder (Local Government)

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

HB 1028 — Head (Corrections & Criminal Law)

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

HB 1032 — Boots, Brown (Pensions & Labor)

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

HB 1034 — Kruse, Rogers, Breaux (Education & Career Development)

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

HB 1035 — M. Young (Judiciary)

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

HB 1036 — M. Young (Civil Law)

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

HB 1038 — Crider (Homeland Security & Transportation)

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

- HB 1040** — Kruse (Tax & Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1046** — Hershman, Kruse, Raatz (Commerce & Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1047** — Bray (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.
- HB 1048** — Charbonneau, Arnold (Corrections & Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- HB 1053** — Houchin, Becker (Commerce & Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- HB 1064** — Charbonneau (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.
- HB 1081** — Hershman (Tax & Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1085** — Steele (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1087** — Yoder, Arnold (Homeland Security & Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- HB 1088** — Becker, Patricia Miller (Health & Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- HB 1089** — Banks (Veterans Affairs & The Military)
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.
- HB 1090** — Crider (Homeland Security & Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.
- HB 1102** — Steele, M. Young (Corrections & Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.
- HB 1105** — Crider (Corrections & Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1109** — Mishler (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

- HB 1136** — Holdman (Insurance & Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.
- HB 1154** — Mishler (Homeland Security & Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- HB 1161** — Boots (Pensions & Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning pensions and to make an appropriation.
- HB 1164** — Crider, Holdman (Civil Law)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- HB 1169** — Hershman, Leising (Tax & Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1172** — Boots (Commerce & Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- HB 1173** — Leising (Civil Law)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- HB 1179** — Kruse, Rogers (Education & Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 63

Senator Kenley called up Engrossed Senate Bill 63 for third reading:

A BILL FOR AN ACT Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 153: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Behning, T. Brown, and Goodin.

Engrossed Senate Bill 80

Senator Head called up Engrossed Senate Bill 80 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 154: yeas 41, nays 8. The bill was declared passed.

The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Smaltz.

Engrossed Senate Bill 151

Senator Merritt called up Engrossed Senate Bill 151 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 155: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Price and Bosma.

Engrossed Senate Bill 216

Senator Hershman called up Engrossed Senate Bill 216 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 156: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Truitt, Steuerwald, and Klinker.

Engrossed Senate Bill 226

Senator Eckerty called up Engrossed Senate Bill 226 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 157: yeas 45, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Mahan.

Engrossed Senate Bill 309

Senator Hershman called up Engrossed Senate Bill 309 for third reading:

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

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 158: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Brown and Huston.

Engrossed Senate Bill 315

Senator Brown called up Engrossed Senate Bill 315 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 159: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Zent.

Engrossed Senate Bill 323

Senator Hershman called up Engrossed Senate Bill 323 for third reading:

A BILL FOR AN ACT concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 160: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Huston.

Engrossed Senate Bill 324

Senator Messmer called up Engrossed Senate Bill 324 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 161: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives VanNatter, Clere, and Stemler.

Engrossed Senate Bill 327

Senator Bassler called up Engrossed Senate Bill 327 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 162: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Price.

Engrossed Senate Bill 328

Senator Rogers called up Engrossed Senate Bill 328 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 163: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Behning and V. Smith.

Engrossed Senate Bill 333

Senator Yoder called up Engrossed Senate Bill 333 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 164: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative T. Brown.

Engrossed Senate Bill 334

Senator Yoder called up Engrossed Senate Bill 334 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 165: yeas 40, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives DeVon and Huston.

Engrossed Senate Bill 339

Senator Ford called up Engrossed Senate Bill 339 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 166: yeas 38, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Morrison, Dermody, Klinker, and Eberhart.

Engrossed Senate Bill 352

Senator M. Young called up Engrossed Senate Bill 352 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 167: yeas 35, nays 14. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Frizzell and DeLaney.

Engrossed Senate Bill 355

Senator Niemeyer called up Engrossed Senate Bill 355 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 168: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Slager and Fine.

Engrossed Senate Bill 357

Senator Yoder called up Engrossed Senate Bill 357 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 169: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Morris and Steuerwald.

Engrossed Senate Bill 361

Senator Becker called up Engrossed Senate Bill 361 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 170: yeas 26, nays 23. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Kirchhofer, C. Brown, and T. Brown.

Engrossed Senate Bill 364

Senator Bassler called up Engrossed Senate Bill 364 for third reading:

A BILL FOR AN ACT concerning Medicaid.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 171: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Bacon.

Engrossed Senate Bill 367

Senator Brown called up Engrossed Senate Bill 367 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 172: yeas 30, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lehman and Steuerwald.

Engrossed Senate Bill 375

Senator Hershman called up Engrossed Senate Bill 375 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 173: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Torr.

Engrossed Senate Bill 383

Senator Charbonneau called up Engrossed Senate Bill 383 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 174: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives VanNatter, Koch, Stemler, and Hale.

SENATE MOTION

Madam President: I move that Senator Raatz be added as coauthor of Senate Bill 328.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 357.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as coauthor of Senate Bill 315.

BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 151.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as coauthor of Senate Bill 80.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as coauthor of Senate Bill 63.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as coauthor of Senate Bill 63.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Glick, Charbonneau, and Kruse be added as coauthors of Senate Bill 80.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be removed as sponsor of Engrossed House Bill 1053 and that Senator Steele be substituted therefor.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as third sponsor of Engrossed House Bill 1053.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting and Banks be added as coauthors of Senate Bill 334.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ford be added as cosponsor of Engrossed House Bill 1053.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as coauthor of Senate Bill 357.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 357.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as cosponsor of Engrossed House Bill 1172.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as coauthor of Senate Bill 383.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, February 8, 2016.

HERSHMAN

Motion prevailed.

The Senate adjourned at 1:11 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUE ELLSPERMANN
President of the Senate