



Journal of the Senate

State of Indiana

118th General Assembly

Second Regular Session

Eighteenth Meeting Day

Tuesday Afternoon

February 11, 2014

The Senate convened at 2:48 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Senator Patricia L. Miller.

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

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

Alting	Merritt
Arnold	Miller, Patricia
Banks	Miller, Pete
Becker	Mishler
Boots	Mrvan
Bray	Nugent <input type="checkbox"/>
Breaux	Paul
Broden	Randolph <input type="checkbox"/>
Buck	Rogers
Charbonneau	Schneider
Crider	Skinner
Delph	Smith
Eckerty	Steele
Glick <input type="checkbox"/>	Stoops
Grooms	Tallian <input type="checkbox"/>
Head	Taylor
Hershman	Tomes
Holdman	Walker
Hume	Waltz
Kenley	Waterman
Kruse	Wyss
Lanane	Yoder
Landske <input type="checkbox"/>	Young, M.
Leising	Young, R.
Long	Zakas

Roll Call 198: present 45; 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.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Engrossed House Bill 1279, currently assigned to the Committee on Homeland Security, Transportation and Veterans Affairs, be reassigned to the Committee on Corrections and Criminal Law.

LONG

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Engrossed House Bill 1187, currently assigned to the Committee on Local Government, be reassigned to the Committee on Environmental Affairs.

LONG

Report adopted.

INTRODUCTION OF BILLS

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

HB 1009 — Steele (Judiciary)

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

RESOLUTIONS ON FIRST READING

Senate Resolution 26

Senate Resolution 26, introduced by Senator R. Young:

A SENATE RESOLUTION urging the Legislative Council to assign the topic of increasing Indiana's tourism marketing budget to an appropriate study committee.

Whereas, The study committee will research how other states are funding their tourism marketing campaigns, determine the success of these campaigns, and conclude if Indiana could benefit from implementing similar strategies;

Whereas, Economic studies have shown that for every dollar spent in Indiana's tourism economy, 76% has remained in the state to support local businesses;

Whereas, Indiana visitors have contributed \$7.7 billion to Indiana Gross Domestic Product, supported over 186,000 jobs, generated over \$2.1 billion in tax receipts and paid \$561 million in Indiana sales tax - 8.5% of the total sales tax receipts;

Whereas, Tourism is the 6th largest industry in Indiana, employing 139,900 workers and directly paying wages of over \$3 billion. It takes only 382 visitors to support one new job in Indiana;

Whereas, Indiana households would have to pay an additional \$472 in state and local taxes to replace revenue generated by visitors if visitors stopped coming to Indiana;

Whereas, It takes only 525 visitors to generate the state and local taxes to pay for one Indiana public school student;

Whereas, Surrounding states have increased their tourism marketing budgets which have resulted in more well-placed signs, while Indiana has been the only state in the area to decrease their budget; and

Whereas, Increasing the budget would keep Indiana competitive with surrounding states, boost the state's economy, create jobs, and increase tax revenues: Therefore,

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

SECTION 1. The Legislative Council is urged to assign to an appropriate study committee the topic of increasing Indiana's tourism marketing budget.

The resolution was read in full and referred to the Committee on Commerce, Economic Development and Technology.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Engrossed House Joint Resolution 3, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said joint resolution do pass.

Committee Vote: Yeas 8, Nays 4

LONG, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 7

Senate Concurrent Resolution 7, introduced by Senator Schneider:

A CONCURRENT RESOLUTION congratulating the Fishers High School "We The People" team on their recent state championship.

Whereas, The "We the People" team members from Fishers High School, Fishers, Indiana, secured a first place finish in the Indiana competition earning them the right to represent the state at the national competition in Washington D.C. in late April;

Whereas, This victory is a first in Fishers High School history;

Whereas, The "We the People...The Citizen and the Constitution" program was started in 1987 to encourage high school students to study the Constitution and the Bill of Rights;

Whereas, Indiana's program is supported by the Indiana State Bar Association, the Indiana Bar Foundation, and the Indiana University Social Studies Development Center through the cooperative sponsorship of the Indiana Program for Law-Related Education;

Whereas, The "We the People..." program is based on a classroom curriculum that complements the regular school curriculum by providing upper elementary, middle, and high school students with an innovative course of instruction on the history and principles of constitutional democracy in the United States;

Whereas, Teams mastering their subjects compete in competitions throughout Indiana's nine congressional districts and finally at one state competition with representative teams from each district;

Whereas, The "We the People..." program was designed to include a wide range of students with varying abilities;

Whereas, The Fishers High School team members list strong family relationships developed, along with the skills gained as highlights of the experience;

Whereas, Hard work and dedication by team members and coach Liz Paternoster helped the Fishers High School team go from an underdog to a state champion; and

Whereas, Involvement with the "We the People..." program allows students to develop a greater commitment to democratic principles and values and promotes political tolerance, and teachers like Liz Paternoster help to prepare the youth of the state of Indiana for a future that will encourage their understanding and participation in our democratic system of government: 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 Liz Paternoster and the Fishers High School team on their victory in the "We the People... the Citizen and the Constitution" competition and encourages Ms. Paternoster to continue to instill in each team member a commitment to democratic principles.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to team members Abigail M. Aylward, Colin J. Burke, Ryan J. Elliott, Jason A. Feuerstine, Thomas J. Gaier, Janka Gal, Caroline M. Hewitt, Jake A. Jensen, Meghan McCann, Halley Rose Meslin, Jacob M. Patterson, Braden T. Quackenbush, Jeremy F. Shen, Xiaohong Tan, Dimitar T. Tcholakov, Jessica N. Tease, Elliott M. Williams, and Sally Wolf, coach Liz Paternoster, advisors Robert Dyson, Geoff Tease, Mike Fassold, Taylor Schueth, Jessica Schnelker, Mary Gaier, and Chris Edwards, principal Jason Urban, and superintendent Dr. Brian Smith.

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. House sponsor: Representative Huston.

Senate Concurrent Resolution 15

Senate Concurrent Resolution 15, introduced by Senator Charbonneau:

A CONCURRENT RESOLUTION congratulating Morgan Township Elementary School for winning a National Blue Ribbon Award.

Whereas, In 2013, the United States Secretary of Education Arne Duncan awarded Morgan Township Elementary School, of the East Porter County School Corporation, a National Blue Ribbon, with only 285 other schools across the entire country receiving the award last year as well;

Whereas, The National Blue Ribbon School Program was founded to recognize public and private elementary, middle, and high schools where students perform at very high levels or where significant improvements are being made in students' academic achievement;

Whereas, Morgan Township Elementary School was bestowed this mark of excellence for the school and students' exemplary performance, which is measured by national and state assessments;

Whereas, Morgan Township was also recognized with this honor for Principal Michelle Friesen-Carper's efforts to provide an atmosphere that encourages each student to work to his or her potential, for the teachers' efforts to work collaboratively to ensure each student succeeds, and for the parents' efforts to provide a solid foundation for their children's futures; and

Whereas, This merit-based distinction is a testament to Morgan Township Elementary School's overall dedication, its academic success, and its history of achievement: 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 Morgan Township Elementary School for winning a National Blue Ribbon Award.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Morgan Township Elementary School, Principal Michelle Friesen-Carper, and the Superintendent of the East Porter County School Corporation, Dr. Rod Gardin.

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. House sponsors: Representatives Niemeyer and Soliday.

House Concurrent Resolution 30

House Concurrent Resolution 30, sponsored by Senator Taylor:

A CONCURRENT RESOLUTION recognizing Alpha Kappa Alpha Day at the Capitol.

Whereas, Alpha Kappa Alpha Sorority, which has the distinction of being the first sorority established by African American college women, was founded at Howard University in Washington, D.C., in 1908 and has expanded internationally to 850 chapters;

Whereas, Indiana hosts 22 of these chapters located on college and university campuses and has active alumnae groups in communities throughout the state;

Whereas, Alpha Kappa Alpha is committed to community service and actively contributes to the educational, civic, and social life of Indiana's citizens;

Whereas, Alumnae chapters encourage their members to become involved community volunteers in one of their primary service components that include education, health, the economy, arts, and family;

Whereas, Indiana provides community support through service initiatives identified in the sorority's international platform - Global Leadership Through Timeless Service - as outlined by Carolyn House Stewart, International President;

Whereas, Alpha Kappa Alpha stands in support of the American Heart Association, a national partner, for its Heart Healthy Day and its community initiatives associated with creating a new generation of lifesavers by providing hands only CPR training and health care advocacy;

Whereas, Alpha Kappa Alpha recognizes the 40 Days of Peace Campaign, a national initiative that brings together individuals, families, community organizations, neighborhoods, and law enforcement agencies to promote a greater cooperation and a sustainable reduction in violence in our communities; and

Whereas, This great sisterhood has established a nationally recognized program known as Alpha Kappa Alpha Day at the Capitol: 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 recognizes Regional Connection Chair, Kianha Davis, State Connection Chair, Vanessa J. Summers, and members of the Alpha Kappa Alpha Day at the Capitol for all the good work they accomplish.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Regional

Connection Chair, Kianha Davis, State Connection Chair, Vanessa J. Summers, and members of the Alpha Kappa Alpha Day at the Capitol.

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.

SENATE MOTION

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

- HCR 19 Senator Kenley
Recognizing Steven Perkins on being named the 2014 Indiana Teacher of the Year.
- HCR 29 Senator Skinner
Recognizing ISU for dedication to and participation in community service.
- SR 31 Senator Yoder
Recognizing Valerie Anglemyer on receiving Indiana Excellence in Teaching Award.
- SR 32 Senator Patricia Miller
Congratulating Jacob Tandy on receiving the Indiana Excellence in Teaching Award.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 19

House Concurrent Resolution 19, sponsored by Senator Kenley:

A CONCURRENT RESOLUTION congratulating Steven Perkins on his selection as Indiana's 2014 Teacher of the Year.

Whereas, Steven Perkins of North Central High School was named Indiana's 2014 Teacher of the Year by Superintendent of Public Instruction Glenda Ritz;

Whereas, Steven Perkins has been teaching Latin at North Central High School since 1998;

Whereas, Born and raised in New Albany, Steven Perkins graduated from Indiana University with a B.A. in classical studies and a certification in secondary education;

Whereas, Steven has also earned a Master of Arts in classics with a minor in philosophy from the University of Texas and his administrative certification;

Whereas, Steven Perkins has received numerous awards and recognitions throughout his career, including 2013 Teacher of the Year, North Central High School and Metropolitan School District of Washington Township; 2002, 2004, 2005, 2006, 2007, 2008, and 2013 Most Influential Teacher to a Top 25

Senior at North Central High School; 2013 Dr. Elizabeth Watkins Latin Teacher Award; 2013 American Classical League; 2011 Lilly Teacher Creativity Fellow; 2009 Blazing Torch Award, Sigma Gamma Rho/Butler University; 1998, 2000, 2002, 2004, 2005, and 2006 Who's Who Among America's Teachers; 2004 Most Influential Educator to Indiana Department of Education and Indianapolis Star Academic All-Star; and co-author of Latin For Dummies;

Whereas, Steven Perkins was chosen from among the current Indiana District Teachers of the Year who complete and submit an Indiana Teacher of the Year Portfolio to the Indiana Department of Education's Teacher of the Year Coordinator; the selection committee determines the top ten candidates based on this evaluation system and conducts interviews with the finalists;

Whereas, As the 2014 Indiana Teacher of the Year, Steven Perkins will represent the State of Indiana for all National Council of Chief State School Officers and Indiana Department of Education events; and

Whereas, It is fitting that excellent teachers be given widespread recognition: 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 Steven Perkins on his selection as Indiana's 2014 Teacher of the Year and urges him to continue to strive for excellence both in and out of the classroom.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Steven Perkins, the principal of North Central High School, and the superintendent of the Metropolitan School District of Washington Township.

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.

House Concurrent Resolution 29

House Concurrent Resolution 29, sponsored by Senator Skinner:

A CONCURRENT RESOLUTION recognizing Indiana State University for its dedication to and participation in community service.

Whereas, Indiana State University is nationally recognized for the dedication to community service of its faculty, staff, and students;

Whereas, The 2013 Washington Monthly College Guide places Indiana State first on its list of 284 national universities

in the category of community service participation and hours worked by students, faculty, and staff;

Whereas, The publication's editors wrote in the September/October issue that they recognized Indiana State University because of its commitment to public service, both in the way the faculty teaches and in encouraging students to enter service focused careers;

Whereas, In 2012-2013, the Sycamore faculty, students, and staff provided 1.2 million hours of service through volunteer work, service learning, internships, and other community based learning activities, with a total value of \$8,000,000;

Whereas, The university served 115 community partners, including businesses, K-12 school corporations, nonprofit and faith based organizations, international NGOs, public agencies, and other higher education institutions in the development of service learning projects;

Whereas, Every Indiana State University academic program has a community engagement component, and the university works diligently to ensure that every student participates in community engagement;

Whereas, The university has received extensive recognition as a result of its dedication to community service, including being one of the first universities in the nation to be recognized by the Carnegie Foundation for the Advancement of Teaching in a special category of colleges and universities that are committed to both an academic approach to community collaboration and extensive outreach and partnerships, and has made the President's Higher Education Community Service Honor Roll every year since its creation in 2006; and

Whereas, Indiana State University President Dr. Daniel J. Bradley has been instrumental in developing and continuing the school's dedication to community service and feels that "Indiana State has made community service a core component of what we do. It is embedded in our teaching, our cocurricular activities, and our employee benefits and recognition. There is an expectation that if you are a Sycamore, you will be involved in community service": 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 recognizes the hours of community service performed by Indiana State University faculty, staff, and students and urges them to continue dedicating their time and efforts to improve the community.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Indiana State University President Dr. Daniel J. Bradley.

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.

Senate Resolution 31

Senate Resolution 31, introduced by Senator Yoder:

A SENATE RESOLUTION congratulating Valerie Anglemyer on receiving the Indiana Excellence in Teaching Award.

Whereas, Valerie Anglemyer, a seventh grade Language Arts teacher at NorthWood Middle School in Wakarusa, Indiana, was one of five educators in the state of Indiana to receive the Excellence in Teaching Award, out of over thirty nominees;

Whereas, The Indiana Excellence in Teaching Award aims to recognize and honor educators for their commitment to ensuring students receive a high quality education;

Whereas, Valerie was particularly nominated and recognized for leading her school in incorporating data and technology into student instruction and communication with parents;

Whereas, Several of Valerie's projects included creating a system to post and submit assignments online, developing teacher web pages, incorporating ways to use the computer lab for daily writing assignments, developing protocols for students that meet current laws to keep students safe, organizing state testing data to identify strengths and weaknesses of students, and among other things, Valerie has helped form curriculum for Language Arts as well; and

Whereas, Valerie's students have seen a steady and marked improvement under Valerie's direction and through the new curriculum: Therefore,

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

SECTION 1. That the Indiana Senate congratulates Valerie Anglemyer on receiving the Indiana Excellence in Teaching Award.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Valerie Anglemyer and Principal Bart Rice of NorthWood Middle School.

The resolution was read in full and adopted by voice vote.

Senate Resolution 32

Senate Resolution 32, introduced by Senator Patricia Miller:

A SENATE RESOLUTION congratulating Jacob Tandy on receiving the Indiana Excellence in Teaching Award.

Whereas, Jacob Tandy, a special education teacher at Emmerich Manual High School in Indianapolis, Indiana, was one of only five educators in the state of Indiana to receive the

Excellence in Teaching Award;

Whereas, The Indiana Excellence in Teaching Award aims to recognize and honor educators for their commitment to ensuring students receive a high quality education;

Whereas, Jacob was nominated and recognized for his outstanding teaching and his leadership as a department head and role model;

Whereas, In addition to Jacob's work as co-teacher of algebra I, geometry, and algebra II, Jacob also facilitates the school's self-contained algebra I and resource classes, and is the teacher of record for 35 special education students;

Whereas, As the teacher of record for special education students, Jacob is involved in monitoring progress, ensuring the least restrictive environment for his students, guaranteeing services are delivered correctly, modifying the instruction and curriculum as necessary, and working with the general education teachers to best facilitate learning for the students;

Whereas, Jacob's role as the Special Education Department Head places him in a leadership position over three other teachers and three paraprofessionals;

Whereas, Jacob's ability to connect with parents and work individually with them to ensure the family engagement necessary for a successful school has been outstanding and instrumental in improving the school; and

Whereas, Jacob has taken on his roles and excelled in them in only his second year of teaching: Therefore,

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

SECTION 1. That the Indiana Senate congratulates Jacob Tandy on receiving the Indiana Excellence in Teaching Award.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Jacob Tandy.

The resolution was read in full and adopted by voice vote.

SENATE MOTION

Madam President: I move that Senator R. Young be added as cosponsor of Engrossed House Bill 1350.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator R. Young be added as cosponsor of Engrossed House Bill 1332.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Stoops and R. Young be added as cosponsors of Engrossed House Bill 1071.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Long be added as second author and Senators Wyss and Kruse be added as coauthors of Senate Resolution 30.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, February 13, 2014.

LONG

Motion prevailed.

The Senate adjourned at 3:11 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUE ELLSPERMANN
President of the Senate