



# Journal of the House

State of Indiana

118th General Assembly

Second Regular Session

Thirtieth Day

Monday Afternoon

March 10, 2014

The invocation was offered by Pastor Steve Cole of the Faith Church of Christ in Kokomo, a guest of Representative Heath R. VanNatter.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative VanNatter.

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

Arnold	Kubacki
Austin	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Battles	Lucas
Bauer	Lutz
Behning	Macer
Beumer	Mahan
Braun	Mayfield
C. Brown	McMillan
T. Brown	McNamara
Burton	Messmer
Candelaria Reardon	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cox	Neese
Culver	Negele
Davison	Niemeyer
DeLaney	Niezdowski
Dermody	Ober
DeVon	Pelath
Dvorak	Pierce <input type="checkbox"/>
Eberhart	Porter
Errington	Price
Forestal	Pryor
Friend	Rhoads
Frizzell	Richardson
Frye	Riecken <input type="checkbox"/>
GiaQuinta	Saunders
Goodin	Shackleford
Gutwein	Slager
Hale	Smaltz
Hamm	M. Smith
Harman	V. Smith
Harris	Soliday
Heaton	Speedy
Heuer	Stemler
Huston	Steuerwald
Karickhoff	Sullivan
Kersey	Summers
Kirchhofer	Thompson
Klinker	Torr
Koch	Truitt

Turner  
Ubelhor  
VanDenburgh  
VanNatter  
Washburne

Wesco  
Wolkins  
Zent  
Ziemke  
Mr. Speaker

Roll Call 430: 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, March 11, 2014, at 11:00 a.m.

STEUERWALD

The motion was adopted by a constitutional majority.

### RESOLUTIONS ON FIRST READING

#### House Resolution 69

Representatives Clere, C. Brown and Davission introduced House Resolution 69:

A HOUSE RESOLUTION urging the legislative council to assign to the appropriate study committee the topic of public policy that assists individuals with chronic eye disease in removing barriers to long term access to effective treatment therapies.

*Whereas, Preventable eye diseases such as macular degeneration, glaucoma, and diabetic retinopathy are the leading causes of preventable blindness in Indiana and across the United States;*

*Whereas, Vision loss and blindness profoundly affect quality of life and place great financial burdens on Indiana taxpayers who must bear a large portion of expenses for the blind;*

*Whereas, The cost to treat and care for a late-onset visually impaired individual is exceedingly higher than effective preventative treatment of the diseases that cause it;*

*Whereas, The medical community has recognized that patient adherence to long term chronic medicine regimens wanes over time, particularly if barriers exist to patients' access to their therapies;*

*Whereas, Health care professionals and CMS recognize eye drops are a unique therapy due to the patient self-administered nature of a viscous product; and*

*Whereas, Due to this, studies have shown that a patient's adherence to therapeutic eye care medicine can drop off at an even higher rate than traditional medicines: 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 public policy that assists individuals with chronic eye disease in removing barriers to long term access to effective treatment therapies.

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

**House Concurrent Resolution 58**

Representative Mahan introduced House Concurrent Resolution 58:

A CONCURRENT RESOLUTION recognizing Carey Services, Inc.

*Whereas, Before the 1950s, individuals with disabilities were shunned from society, either institutionalized or sheltered at home;*

*Whereas, A dedicated group of Grant County, Indiana, area parents and community leaders who wanted a quality educational experience and services for their children with disabilities organized in the early 1950s to form a school for their children, then named Pleasant Day School;*

*Whereas, In 1954, the group began providing services, primarily with volunteers, for children with developmental disabilities in Indiana;*

*Whereas, They became one of Indiana's first local chapters of NARC, now called The Arc;*

*Whereas, The Grant County Community Chest, now the United Way of Grant County, the YMCA, and the Central Labor Union were among the initial community groups to provide funding and in-kind support, which was essential in establishing a stable foundation for organizational growth;*

*Whereas, In the late 1960s, a similar group of parents and community leaders in Blackford County joined forces with those from Grant County;*

*Whereas, Carey Services has been a leader in Indiana by being among the first community not-for-profits to pilot the state's First Steps early intervention program, community living services, habilitation services for individuals with profound disabilities, and creative employment programs;*

*Whereas, Carey Services was the first provider of disability services in Indiana to acknowledge the need for a highly trained and fairly compensated direct care workforce by establishing the first standardized and certificate based workforce training program for Direct Support Professionals in conjunction with Ivy Tech Community College;*

*Whereas, Carey Services provides both competitive and sheltered employment services, which encourage individuals with disabilities to choose how and where they work, while delivering a valued service to local businesses;*

*Whereas, Through Carey Services Supported Living Services, people with disabilities can learn to actively participate in the community and live more independently;*

*Whereas, Carey Services has extended its organizational assets to benefit others in the community by providing Early Head Start for low income children and their families since 1999, as well as providing welfare-to-work employment services, transportation, affordable housing, and innovative health services;*

*Whereas, By operating Docu-Shield, a confidential document destruction service for businesses, professionals, and individuals, Carey Services is more financially self-sufficient while providing employment opportunities;*

*Whereas, Through its business partnership with Mitchell Marketing, Carey Services manufactures bird feeders that are sold nationally in large retail chains, such as Walmart;*

*Whereas, Annually, Carey Services supports more than 1,500 individuals and their families in five counties through its vast array of programs and services;*

*Whereas, More than 330 employees provide quality services on a daily basis while making a positive difference in the lives of those individuals and families;*

*Whereas, For the past 60 years, Carey Services has consistently created services and opportunities for persons with disabilities, low-income families, and others to live meaningful lives; and*

*Whereas, Carey Services dedicates itself to continuing to fulfill its mission "to create pathways toward self-sufficiency with personal satisfaction": 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 thanks Carey Services, Inc., for its dedicated service to the thousands of people whose lives have been touched by its caring and dedicated personnel.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Carey Services, Inc.

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 Holdman, Banks and Buck.

**MOTIONS TO DISSENT FROM SENATE AMENDMENTS**

**HOUSE MOTION**

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1083 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

TORR

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1269 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

STEUERWALD

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1307 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

EBERHART

Motion prevailed.

**CONFEREES AND ADVISORS APPOINTED**

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

- EHB 1083 Conferees: Torr and Moseley
- Advisors: Wesco, Ubelhor, Bartlett, Niezgodski, Forestal

EHB 1269 Conferees: Steuerwald and Pierce  
Advisors: Harman, McMillin, Lawson

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 4 Conferees: Frye and Kersey  
Advisors: Heaton, McMillin, Stemler

ESB 59 Conferees: Mayfield and Bauer  
Advisors: Steuerwald, Washburne, Macer, Riecken

ESB 80 Conferees: Bosma and Harris  
Advisors: Richardson, Friend, Dvorak

ESB 235 Conferees: Steuerwald and Pierce  
Advisors: McMillin, Washburne, DeLaney, Lawson

ESB 249 Conferees: VanNatter and Pryor  
Advisors: M. Smith, Saunders, Stemler

ESB 266 Conferees: Ober and Pryor  
Advisors: Culver, M. Smith, Kersey, Harris

ESB 349 Conferees: Huston and Bauer  
Advisors: Koch, Lutz, V. Smith

ESB 367 Conferees: Turner and Porter  
Advisors: Heuer, T. Brown, Candelaria Reardon, Goodin, Kersey, Klinker, Niezgodski, Pryor, Stemler

ESB 421 Conferees: McMillin and Moseley  
Advisors: Rhoads, Wolkins, Forestal

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

EHB 1346 Conferee: GiaQuinta replacing Moseley  
Advisor: Moseley replacing GiaQuinta

The House recessed until the fall of the gavel.

## RECESS

The House reconvened at 4:50 p.m. with the Speaker in the Chair.

Upon request of Representative Battles, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 431: 68 present. The Speaker declared a quorum present.

Representative Pierce, who had been excused is now present.

Representatives Goodin, Bartlett, Bauer, Carbaugh, Davisson, DeLaney, Errington, Frizzell, Frye, GiaQuinta, Gutwein, Hamm, Heuer, Kersey, Lehe, Lehman, Leonard, McMillin, Morris, Moseley, Niezgodski, Ober, Porter, Pryor, Steuerwald, Thompson, Torr, Turner and Wolkins.

## MOTIONS TO DISSENT FROM SENATE AMENDMENTS

### HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1306 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

FRIEND

Motion prevailed.

## MOTIONS TO CONCUR IN SENATE AMENDMENTS

### HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1045.

KIRCHHOFFER

Roll Call 432: yeas 69, nays 0. Motion prevailed.

Representative Torr, Frye and Delaney, who had been excused are now present.

### HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1063.

HUSTON

Roll Call 433: yeas 72, nays 0. Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1181.

FRYE

Roll Call 434: yeas 72, nays 0. Motion prevailed.

Representatives Bauer, Errington and Thompson, who had been excused are now present.

## ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.2 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after March 3, 2014; we further recommend that House Rule 163.3 be amended so that the following conference committee reports may be laid over on the members' desks for 5 hours, so that they may be eligible to be placed before the House for action: Engrossed Senate Bill 329-01.

TORR, Chair

Report adopted.

### HOUSE MOTION

Mr. Speaker: I move that House Rule 161.2 be suspended so that the following conference committee reports are eligible for consideration after March 3, 2014, and that House Rule 163.1 be amended so that the following conference committee reports may be laid over on the members' desks for 5 hours, so that they may be eligible to be placed before the House for action: Engrossed Senate Bill 329-01.

TORR, Chair

Motion prevailed.

## CONFERENCE COMMITTEE REPORT ESB 329-1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 329 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 2, delete lines 5 through 42.

Delete page 3.

Renumber all SECTIONS consecutively.  
(Reference is to ESB 329 as reprinted February 18, 2014.)

HEAD NIEMEYER  
ROGERS PRYOR  
Senate Conferees House Conferees

Roll Call 435: yeas 75, nays 0. Report adopted.

Representatives Carbaugh, Davisson, Gutwein, Lehe, Lehman, Leonard, Morris, Moseley, Niezgodski, Ober and Wolkins, who had been excused are now present.

Representative Arnold is now excused.

**MOTIONS TO CONCUR  
IN SENATE AMENDMENTS**

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1123.

THOMPSON

Roll Call 436: yeas 75, nays 11. Motion prevailed.

Representatives Arnold, Bartlett, GiaQuinta and Hamm, who had been excused are now present.

Representatives Dermody, Frizzell and Lucas are now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1336.

T. BROWN

Roll Call 437: yeas 87, nays 0. Motion prevailed.

**CONFEREES AND ADVISORS APPOINTED**

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

EHB 1306 Conferees: Friend and Candelaria Reardon  
Advisors: Torr, Mayfield, Ziemke, Bartlett  
EHB 1307 Conferees: Eberhart and Kersey  
Advisors: McMillin, Heaton,  
Stemler, Lawson

**ENROLLED ACTS SIGNED**

The Speaker announced that he had signed House Enrolled Acts 1009, 1039, 1119, 1121, 1180, 1300, 1301, 1303 and 1423 on March 10.

The Speaker announced that he had signed Senate Enrolled Acts 60, 138, 160, 171, 223, 234, 245, 248, 262, 271, 282, 291 and 339 on March 10.

**OTHER BUSINESS ON THE SPEAKER'S TABLE**

HOUSE MOTION

Mr. Speaker: I move that Representative GiaQuinta be added as coauthor of House Bill 1346.

LEONARD

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Engrossed Senate Bills 27, 63, 85, 88, 114, 139, 185, 205, 207, 208, 220, 238, 331, 334, 343, 344, 359, 397 and 405.

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 Senate Concurrent Resolutions 17, 22, 35, 37, 38, 39, 41, 45, 46, 47, 48, 49 and 50 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 Resolutions 23, 26, 54, 55, 56 and 57 and the same are herewith returned to the House.

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 concurred in the House amendments to Engrossed Senate Bills 50, 158, 161, 227, 292, 294, 312, 330, 332, 340, 377 and 394.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

On the motion of Representative Lucas, the House adjourned at 5:30 p.m., this tenth day of March, 2014, until Tuesday, March 11, 2014, at 11:00 a.m.

BRIAN C. BOSMA  
Speaker of the House of Representatives

M. CAROLINE SPOTTS  
Principal Clerk of the House of Representatives