



Journal of the House

State of Indiana

120th General Assembly

Second Regular Session

Fifth Day

Tuesday Afternoon

January 9, 2018

The invocation was offered by Pastor Adam Colter from Cicero Christian Church, a guest of Representative Cook.

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 Clere.

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

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

Torr
VanNatter
Washburne
Wesco
Wolkins

Wright
J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 5: 95 present; 5 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 Wednesday, January 10, 2018, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1055, 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 HB 1055 as introduced.)

Committee Vote: Yeas 11, Nays 2.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1074, 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 4, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 3. IC 21-12-8-9, AS ADDED BY P.L.230-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 9. (a) This section applies to an applicant who attends or has attended any of the following:

- (1) An approved secondary school.
- (2) An accredited nonpublic school.
- (3) A nonaccredited nonpublic school.

(b) An applicant is eligible to receive a high value workforce ready credit-bearing grant if the following conditions are met:

- (1) The applicant is domiciled in Indiana, as defined by the commission.
- (2) The applicant:

(A) has received a diploma of graduation from a school described in subsection (a);

(B) has been granted a:

(i) high school equivalency certificate before July 1, 1995; or

(ii) state of Indiana general educational development (GED) diploma under IC 20-10.1-12.1 (before its repeal), IC 20-20-6 (before its repeal), or IC 22-4.1-18; or

(C) is a student in good standing who is completing a final year of study at a school described in subsection (a) and will be eligible upon graduation to attend an approved institution of higher learning.

(3) The applicant is enrolled in an eligible certificate program, as determined under IC 21-12-8-2(4), at Ivy Tech Community College or Vincennes University.

(4) The applicant enrolls at least half-time for purposes of federal financial aid.

(5) The applicant has not received any grant for the maximum number of academic terms specified for the grant in IC 21-12-13-1 or IC 21-12-13-2.

(6) The applicant is not eligible for any state financial aid program described in IC 21-12-13-1(a) or IC 21-12-13-2(a).

(7) The applicant is identified as financially independent from the applicant's parents as determined by the Free Application for Federal Student Aid (FAFSA).

(8) The applicant has correctly filed the FAFSA and, if eligible for aid, accepts all offered federal scholarships and grants.

(9) **Except as provided under subsection (c),** the applicant maintains satisfactory academic progress, as determined by the eligible institution.

(10) The applicant has not previously received a baccalaureate degree, an associate degree, or an eligible certificate.

(11) The applicant meets any other minimum criteria established by the commission.

(c) This subsection applies to an applicant who does not maintain satisfactory academic progress under subsection (b)(9) but meets all the other conditions required under subsection (b). An applicant is eligible to receive a high value workforce ready credit-bearing grant if the applicant meets one (1) of the following:

(1) The applicant has not attended an eligible institution for the immediately preceding two (2) academic years.

(2) The applicant:

(A) attended an eligible institution at any time during the immediately preceding two (2) academic years; and

(B) maintained satisfactory academic progress, as determined by the eligible institution, during the period described in clause (A) in which the applicant attended the eligible institution."

Renumber all SECTIONS consecutively.

(Reference is to HB 1074 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BEHNING, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 6

Representative Goodin introduced House Concurrent Resolution 6:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename the section of U.S. Highway 421 from the Jefferson/Ripley county line to the U.S. Highway 421 and State Road 62 intersection the "Major Samuel Woodfill Memorial Highway".

Whereas, Major Samuel Woodfill, a native of Jefferson County, was the only Hoosier to be awarded the Congressional Medal of Honor during World War I;

Whereas, A veteran of the Philippine-American War, World War I, and World War II, Major Woodfill served his country for more than 40 years;

Whereas, Major Woodfill was the most decorated American serviceman during World War I, and in addition to receiving the Medal of Honor, he was awarded the French Croix de Guerre with Palm, Montenegro's Order of Prince Danilo I (Fifth Class), and Italy's Merito di Guerra, and was made a Chevalier of the French Legion of Honor;

Whereas, Major Woodfill was lauded as "the greatest American soldier of the world war" by General John Pershing, Commander of the American Expeditionary Forces during World War I;

Whereas, On October 12, 1918, Major Woodfill and his company encountered heavy machine gun fire from the Germans at Cunel, France;

Whereas, Major Woodfill reached the machine gun bunkers three times, killing or capturing the German soldiers each time;

Whereas, As a result of their bravery and great risks taken, Major Woodfill and his men suffered for years from the effects of mustard gas used during World War I;

Whereas, As further recognition of his renown, Major Woodfill was asked to serve as a pallbearer at the burial of the Unknown Soldier during the 1921 dedication ceremonies at Arlington National Cemetery and as a pallbearer for General Pershing in 1948;

Whereas, Major Woodfill was born on January 6, 1883, in Bryantsburg, the son of John H. Woodfill, a veteran of the Mexican-American War and the Civil War;

Whereas, Major Woodfill attended school at Belleview, enlisted in the 11th Infantry of the United States Army on March 8, 1901, and was later buried in Arlington National Cemetery; and

Whereas, Great bravery and heroism deserve special 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 urges the Indiana Department of Transportation to rename the section of U.S. Highway 421 from the Jefferson/Ripley county line to the U.S. Highway 421 and State Road 62 intersection the "Major Samuel Woodfill Memorial Highway".

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Commissioner of the Indiana Department of Transportation and the family of Major Samuel Woodfill.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

House Concurrent Resolution 7

Representatives Frye, Baird, Goodin and Lucas introduced House Concurrent Resolution 7:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename a portion of State Road 62 in Jefferson County in honor of James Pendleton.

Whereas, James Pendleton was born April 6, 1922, in Perry County, Kentucky, to C.E. and Edna Childers Pendleton and died on May 20, 2017, at River Terrace Health Campus in Madison, Indiana;

Whereas, James Pendleton was a 1941 graduate of Stinnett Settlement High School in Hoskinston, Kentucky, and, while attending junior college in Jackson, Kentucky, was drafted by the Army;

Whereas, Beginning active duty on December 12, 1942, James Pendleton was deployed to the European Theater on D-Day, June 6, 1944;

Whereas, James Pendleton was severely wounded on December 19, 1944, in Stoumont, Belgium, and spent almost two years in military hospitals;

Whereas, James Pendleton was discharged with a Certificate of Disability for his battle-related injuries on November 25, 1946, leaving the Army after having attained the rank of corporal;

Whereas, In recognition of his bravery during time of war, James Pendleton was awarded the Good Conduct Medal, the Purple Heart, the Bronze Star, and Silver Star, along with several service ribbons and badges, was recognized by the Indiana General Assembly for his military service in 2013, and was honored with a medal for heroism in 2011 at the Belgium Embassy in Washington, D.C.;

Whereas, A lifelong Republican, James Pendleton served as a precinct committeeman for many years and was the Jefferson County commissioner at-large from 1979 to 1983;

Whereas, In 2012, James Pendleton received the Michael Garber Award from the Jefferson County Republican Party and served on the board of directors for the Community Foundation of Madison and Jefferson County from 1993 through 1997;

Whereas, James and Edith Pendleton, his wife of 62 years, served as honorary mayors of the Canaan Fall Festival in 2000 and were honored for their many years of service to the community and their efforts to organize and promote the festival;

Whereas, Always active in his community and his church, James Pendleton was a member of the Indian-Kentuck Baptist Church in Canaan for more than 50 years, serving as a deacon for most of that time, and in 2011, was honored by the church for his lifetime of service;

Whereas, James Pendleton was a 60-year member of Canaan Masonic Lodge No. 581 and a 60-year member of the Ancient Accepted Scottish Rite Valley of Indianapolis; and

Whereas, It is appropriate that that portion of State Road 62 in Jefferson County commemorate James Pendleton and his many contributions to our state and our nation: 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 urges the Indiana Department of Transportation to rename a section of State Road 62 in Jefferson County as the "James Pendleton Highway" to honor and remember his great bravery and many accomplishments and contributions to Indiana and the world.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the commissioner of the Indiana Department of Transportation and the family of James Pendleton.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

House Concurrent Resolution 8

Representatives Bartlett, Austin, Aylesworth, Bacon, Baird, Bartels, Behning, Beumer, Borders, C. Brown, T. Brown, Candelaria Reardon, Carbaugh, Cherry, Clere, Cook, Culver,

Davisson, DeLaney, DeVon, Dvorak, Eberhart, Engleman, Errington, Forestal, Friend, Frizzell, GiaQuinta, Goodin, Gutwien, Hamilton, Harris, Hatfield, Heaton, Heine, Huston, Judy, Kirchhofer, Klinker, Lehman, Leonard, Lucas, Lyness, Macer, Mahan, Mayfield, Moed, Morris, Moseley, Nisly, Ober, Olthoff, Pelath, Porter, Pressel, Pryor, Richardson, Saunders, Shackelford, V. Smith, Speedy, Steuerwald, Summers, J. Taylor, Torr, VanNatter, Wesco, Wolkins, Wright and Speaker Bosma introduced House Concurrent Resolution 8:

A CONCURRENT RESOLUTION recognizing the Indiana Military Veterans Hall of Fame and the 2017 inductees.

Whereas, Indiana owes a great debt to its veterans, past and present, for their dedicated service;

Whereas, Indiana veterans honor our state and our nation by their sacrifices and the sacrifices of their families;

Whereas, The Indiana Military Veterans Hall of Fame was founded in 2013;

Whereas, The objective of the Indiana Military Veterans Hall of Fame is "to publically emphasize the honor brought to our state and nation by the sacrifice of Indiana military veterans and their families";

Whereas, Only a few other states have established a similar Military Veterans Hall of Fame;

Whereas, 2014 marked the first inductions into the Indiana Military Veterans Hall of Fame;

Whereas, Nominations came from all over the state and represent military veterans from the American Civil War through current engagements;

Whereas, The Indiana Military Veterans Hall of Fame was established by representatives from government, business, and retired military on ground near the American Legion's Department of Indiana Headquarters in Lawrence;

Whereas, The organization strives to publicly emphasize the honor brought to the state of Indiana and the nation by the sacrifice of Indiana military veterans and their families;

Whereas, The 2017 class of inductees into the Indiana Military Veterans Hall of Fame includes Command Sergeant Major Jerry O. Blake; Lieutenant Colonel Dale R. Crafton; First Lieutenant George C. Ferkes; Sergeant William T. Freeman; Brigadier General Benjamin Harrison; Colonel James H. Kasler; Captain Walker M. "Bud" Mahurin; Lieutenant General Thomas M. Montgomery; First Lieutenant Larry R. Moore; Private First Class William H. Myers; Walter J. A. Palmer; Captain Philip W. Patrick; Gunnery Sergeant Nicholas A. Popaditch; Justice Robert D. Rucker Jr.; First Lieutenant Richard M. Storm; and Frederick A. Taylor Jr.;

Whereas, Throughout the history of our great nation, hundreds of thousands of men and women have served their country with honor and pride in time of war and peace; and

Whereas, The Indiana Military Veterans Hall of Fame honors these brave Hoosier veterans for their service and shares their stories of sacrifice with the people of our state: 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 inductees into the Indiana Military Veterans Hall of Fame for their great bravery and dedication to duty. Without brave men and women like these, our state and nation could not exist.

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

Indiana Military Veterans Hall of Fame and each of the 2017 inductees.

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 Crider.

House Concurrent Resolution 9

Representatives Bartlett, Austin, Aylesworth, Bacon, Baird, Bartels, Behning, Beumer, Borders, C. Brown, Candelaria Reardon, Carbaugh, Cherry, Clere, Cook, Culver, Davisson, DeLaney, DeVon, Dvorak, Eberhart, Engleman, Errington, Forestal, Friend, Frizzell, GiaQuinta, Goodin, Gutwein, Hamilton, Harris, Hatfield, Heaton, Heine, Huston, Judy, Kirchhofer, Klinker, Lehman, Leonard, Lucas, Lyness, Macer, Mahan, Mayfield, Moed, Morris, Moseley, Nisly, Ober, Olthoff, Pelath, Porter, Pressel, Pryor, Richardson, Saunders, Shackelford, V. Smith, Speedy, Steuerwald, Summers, J. Taylor, Torr, VanNatter, Wesco, Wolkins, Wright and Speaker Bosma introduced House Concurrent Resolution 9:

A CONCURRENT RESOLUTION recognizing Indiana's Credit Unions for building a memorial honoring Hoosier veterans.

Whereas, Indiana is the only state with a freestanding Military Veterans Hall of Fame Memorial;

Whereas, The donations for the construction of the Indiana Military Veterans Hall of Fame Memorial were raised and contributed by Indiana Credit Unions, their leaders, and credit union business partners, with no taxpayer money used to erect this memorial;

Whereas, Indiana Credit Unions represent more than 2.4 million Hoosiers;

Whereas, The foundation of all Indiana Credit Unions is built upon a "People Helping People" philosophy; and

Whereas, Hoosier veterans deserve special recognition: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. The Indiana General Assembly expresses its sincere gratitude to Indiana Credit Unions for providing the funding to build the Indiana Military Veterans Hall of Fame Memorial.

SECTION 2. The Principal Clerk of the House of Representatives will transmit copies of this resolution to the Board of Directors of the Indiana Military Veterans Hall of Fame, Financial Center First Credit Union, and the Indiana Credit Union League.

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 Crider.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 5 were read a first time by title and referred to the respective committees:

HB 1011 — Smith M

Committee on Judiciary

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

HB 1012 — Bauer

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1013 — Smith M

Committee on Roads and Transportation

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

HB 1014 — Torr, Bosma

Committee on Elections and Apportionment

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

HB 1016 — Clere, DeLaney

Committee on Education

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

HB 1018 — Kersey

Committee on Elections and Apportionment

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

HB 1019 — Bauer

Committee on Ways and Means

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

HB 1020 — Harris

Committee on Education

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

HB 1027 — Frye R

Committee on Ways and Means

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

HB 1032 — Washburne

Committee on Rules and Legislative Procedures

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

HB 1040 — Errington, Brown T

Committee on Ways and Means

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

HB 1041 — Errington

Committee on Public Health

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

HB 1068 — Bauer

Committee on Education

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

HB 1081 — Moed

Committee on Elections and Apportionment

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

HB 1106 — Lucas

Committee on Public Health

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

HB 1137 — Lucas

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1150 — Judy

Committee on Courts and Criminal Code

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

HB 1184 — Errington

Committee on Courts and Criminal Code

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

HB 1185 — Klinker

Committee on Education

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

HB 1186 — Klinker

Committee on Natural Resources

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

HB 1187 — Klinker

Committee on Ways and Means

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

HB 1188 — Klinker

Committee on Ways and Means

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

HB 1189 — Pierce, Ellington, Austin

Committee on Insurance

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

HB 1190 — Miller D

Committee on Roads and Transportation

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

HB 1191 — Engleman

Committee on Family, Children and Human Affairs

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

HB 1192 — Engleman

Committee on Public Health

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

HB 1193 — Speedy

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT concerning public safety.

HB 1194 — Speedy

Committee on Judiciary

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

HB 1195 — Speedy

Committee on Roads and Transportation

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

HB 1196 — Speedy

Committee on Public Health

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

HB 1197 — Speedy

Committee on Roads and Transportation

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

HB 1198 — VanNatter

Committee on Employment, Labor and Pensions

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

HB 1199 — VanNatter

Committee on Ways and Means

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

HB 1200 — Lindauer, Mayfield, Bartels, Bartlett

Committee on Ways and Means

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

HB 1201 — Heine

Committee on Roads and Transportation

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

HB 1202 — Eberhart, Austin

Committee on Public Policy

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

HB 1203 — Eberhart

Committee on Public Health

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

HB 1204 — Moseley, Saunders

Committee on Courts and Criminal Code

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

HB 1205 — Taylor J

Committee on Education

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

HB 1206 — Taylor J

Committee on Family, Children and Human Affairs

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

HB 1207 — Taylor J

Committee on Ways and Means

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

HB 1208 — Taylor J

Committee on Education

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

HB 1209 — Friend, Karickhoff

Committee on Government and Regulatory Reform

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

HB 1210 — Bartels

Committee on Ways and Means

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

HB 1211 — Bartels

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT concerning veterans.

HB 1213 — Bartels

Committee on Ways and Means

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

HB 1214 — Friend, Davisson, Clere, Goodin

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1215 — Smith V

Committee on Ways and Means

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

HB 1216 — Smith V

Committee on Ways and Means

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

HB 1217 — Smith V

Committee on Courts and Criminal Code

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

HB 1218 — Smith V

Committee on Ways and Means

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

HB 1219 — Hamilton

Committee on Public Health

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

HB 1220 — Kirchhofer

Committee on Public Health

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

HB 1221 — Eberhart

Committee on Local Government

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

HB 1222 — Lyness

Committee on Employment, Labor and Pensions

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

HB 1224 — Summers

Committee on Public Health

A BILL FOR AN ACT concerning health.

HB 1273 — Goodin

Committee on Courts and Criminal Code

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

RECESS

The House was called back to order at 6:45 p.m. by the Speaker.

JOINT CONVENTION

The members of the 120th General Assembly, meeting in Joint Convention, were called to order at 6:45 p.m. by the Speaker who introduced the Senate leadership, President Pro Tempore David C. Long, Majority Floor Leader Rodric D. Bray, Majority Caucus Chair James W. Merritt, Jr., Majority Whip Mark B. Messmer, Minority Floor Leader Timothy S. Lanane, Minority Caucus Chair Karen R. Tallian, Minority Whip Lonny M. Randolph; the House leadership, Majority Floor Leader Matt Lehman, Majority Caucus Chair Kathy Kreag Richardson, Speaker Pro Tempore William C. Friend, Majority Whip Bob A. Heaton, Minority Leader Terry A. Goodin, Minority Floor Leader Linda C. Lawson, Minority Caucus Chair John L. Bartlett, and Minority Whip Terri Jo Austin; and the honored guests as follows: Lt. Governor Suzanne Crouch and her husband Larry Downs, First Lady of Indiana, Janet Holcomb; Mrs. Cheryl Bosma; The Honorable Auditor, Tera Klutz; Chief Justice Loretta Rush; Justice Steven H. David; Justice Christopher Goff; Justice Mark S. Massa; Justice Geoffrey Slaughter; Chief Judge Nancy Vaidik; Judge Robert Altice; Judge Mark Bailey; Judge John G. Baker; Judge Michael P. Barnes; Judge Melissa May; Judge Rudolph Pyle; Judge Margret Robb; The Honorable Tom DeBaun, Mayor of Shelbyville; The Honorable Karen Freeman-Wilson, Mayor of Gary; The Honorable Shannon Kohl, Mayor of Martinsville; The Honorable Scott Long, Mayor of Wabash; The Honorable Kelly Mollaun, Mayor of Lawrenceburg; The Honorable Kim Haak, Mayor of Zionsville; Hamilton County Sheriff, Mark Bowen; Lawrence County Sheriff, Mike Branham; Wayne County Sheriff, Jeff Cappa; Madison County Sheriff, Scott Mellinger; Bartholomew County Sheriff, Matt Myers; Boone County Sheriff, Mike Nielsen; Clark County Sheriff, Jamey Noel; Steuben County Sheriff, Tim Troyer; Ripley County Prosecutor, Richard Hertel; Washington County Prosecutor Dustin Houchin; Allen County Assessor, Stacey O'Day; Owen County Councilman, Anton Neff; Daviess County Commissioner, Nathan Gabhart; Tippecanoe County Commissioner, Tom Murtaugh; Delaware Township Trustee, Deborah Driskell; Morgan County Commissioner, Ryan Goodwin; Commander Wes House of the soon to be commissioned USS Indiana; Petty Officer, Will Pond of the soon to be commissioned USS Indiana; Mrs. Maggie Samudia, 2nd Grade Teacher, Cumberland Elementary in West Lafayette; Kayla Xu, 5th Grader, Cumberland Elementary in West Lafayette, Eva Kor, Holocaust Survivor and Civility Activist; Chairman, Jim Atterholt.

The Speaker introduced Lieutenant Governor Suzanne Crouch, President of the Senate, and yielded the gavel to her.

Lieutenant Governor Crouch convened the joint session and presented the Governor as follows:

"Members of the Joint Assembly: Pursuant to Section 13 of Article 5 of the Indiana Constitution, the Indiana General Assembly is convened for the purpose of hearing a message from the Governor.

Ladies and Gentlemen of the House and Senate, and distinguished guests, I have the high honor of introducing our Governor, Eric Holcomb."

Governor Holcomb was escorted to the rostrum by Representatives Richardson, Friend, Kersey and V. Smith and Senators Perfect, L. Brown, Melton and Tallian.

STATE OF THE STATE

Mr. Speaker, Mr. President, Madam Chief Justice, Lt. Governor, members of the General Assembly, my fellow Hoosiers: It's an honor to stand before you for the second time

to discuss the state of our state and the work we will do this year to make life better for all of our citizens.

When I became governor one year ago, I took the baton with momentum created by previous administrations, and—together—we've worked every day not just to sustain that momentum but to build on it.

We worked to make sure the business climate in Indiana remains among the very best in the nation, that Hoosiers have the tools they need to take advantage of growing opportunities, and that our state government is among the most efficient and effective for the people we serve.

Last year, I outlined a vision to take Indiana to the Next Level, and I laid out five goals—five pillars—to help us get there.

2018 is all about taking the tools that we've been provided and putting them to work with a single purpose in mind—to make life better for all Hoosiers. So, the question before us now is: What must we do to make sure every Hoosier has the opportunity to take part in the growing bounty our state has to offer?

That's why this year, my focus can be summed up in three words: people, people, people.

Now, before we look ahead, let's look at where Indiana stands today. "Stands" might be the wrong verb, because the truth is Indiana is on a roll! We continue to operate within an honestly balanced budget. We have a AAA credit rating and nearly \$2 billion in our state's savings account.

In large part, because of our low tax and reasonable regulatory climates, we rank best in the Midwest and a top-five state in the nation for doing business. We're number two in the nation for cost of doing business and top two in the nation for our low cost of living.

Yes, not only is Indiana's quality of life high—we're also more affordable than nearly anywhere else. What a time to be pursuing investment! Indiana offers the certainty, stability and predictability that very few of our competitors can match.

It's no coincidence that last year we set a record for the number of new job commitments. We beat the 2012 record and secured nearly 300 business commitments that will lead to the creation of over 30,000 new jobs throughout our entire state, border to border. And, these are good jobs, with wages one-quarter higher than the average Hoosier wage.

So, I've challenged Secretary Jim Schellinger and President Elaine Bedel—and the other good people at the Indiana Economic Development Corporation—to do it again this year. But I've upped the ante: How about 35,000 new job commitments in 2018?

Even as we focus on making life better for Hoosiers today, we're also preparing for the future.

We have a fully-funded infrastructure program that provides long-term certainty. Our Next Level Roads Program provides nearly \$6 billion in this biennium alone, includes significantly more resources to local communities all across the state, and will increase year after year.

Thanks to your efforts to convert plans into projects, Indiana's infrastructure investment is the envy of the nation. Thank you!

And, after adding flights to the East and West Coasts, for the first time in our history, we have a non-stop, direct flight to Europe—connecting Hoosiers and Hoosier-made goods to European markets like never before.

But for all our progress, we still have a long way to go, and I'm excited about the journey ahead.

Our greatest challenge is that too many Hoosiers lack the education and skills for the jobs that are here today and being created tomorrow—nearly all of which require a postsecondary education.

Right now we have 85,000 jobs in Indiana unfilled because employers can't find the people equipped with the skills they need. And, add in the IEDC's 30,000 new jobs, with even more

on the way this year—not to mention the more than one million jobs to be filled over the next 10 years as Baby Boomers retire.

This is the defining issue of the decade, and we don't have a day to waste. That's why, of my five pillars, developing a skilled and ready workforce will demand the greatest focus and collaboration.

One way we've already begun to tackle this challenge is with our Next Level Jobs program. In the five months since we rolled it out, over 275,000 people have visited NextLevelJobs.org, over 13,000 of them have filled out the grant application, and over 300 businesses have expressed their interest.

Now we must convert interest to enrollment and then to completion.

We have the resources to begin to crack this code, and we're going to put them to work for every student and worker in our state who wants to get ahead.

That's why we're setting big goals. For example:

- More than 700,000 Hoosiers started college but didn't finish, and many of them would like to go back and get a degree. Our goal this year is to enroll 25,000 more of them in programs that help them do just that.
- Another 475,000 Hoosier adults don't have a high school diploma. Our goal this year is to help 30,000 of them obtain the education and skills they need to get a better job.
- We'll also establish a state work-based learning and apprenticeship office that will increase the number of these opportunities from 12,500 to 25,000 by the end of 2019, moving Indiana into the top five in the country.
- On the employer side, by the end of this year, we'll engage 250 companies to train and hire employees through our Employer Training Grant Program.
- And, we won't forget the 27,000 Hoosiers in our prison system. By 2020, we'll graduate at least 1,000 inmates annually in certificate programs that will lead to good jobs when they get out.

Add this all up, and we're talking about more than one million of our fellow Hoosiers that need and can be skilled up. Let's give them the tools they need to reach their full potential. Think of the value for them, for your communities and for our state.

We also need to set our lens wide enough to include future generations.

To do that, we must ensure that every Hoosier student receives an education infused with STEM subjects, critical thinking skills and the intellectual curiosity that prepares them for lifelong learning—so when they graduate from high school, they have a ticket to their future success, be it going on to college or entering the workforce to realize a fulfilling career.

To get these results, we'll commit to forming partnerships like never before.

Over the next year, we'll use the newly-created Education to Career Pathways Cabinet—led by Secretary Blair Milo, Superintendent Jennifer McCormick, Commissioner Teresa Lubbers, DWD Commissioner Fred Payne and OMB Director Micah Vincent—to set the framework to guide regions and communities.

By next year, we must be armed with the framework to drive legislative action, including funding changes. But now, lawmakers, we need your support to position this cabinet for success to ensure our school-age Hoosiers are gaining the experiences and skills they need to thrive in our ever-changing global economy.

This new approach will take the process away from compliance and regulation and instead focus on local capacity-building, empowering Hoosiers at the local level.

Late last year, Indiana's State Board of Education took a crucial step by approving new graduation pathways for high school students beginning in 2019. And, this year, we must

advance a more relevant high school diploma so that every student graduates with a diploma that is their opportunity to advance to the next step along their path.

Also this year, with your leadership, we'll enact legislation to require every Indiana K-12 school to offer computer science courses—and we'll pay for the teacher professional development they'll need to inspire their students.

We'll also take better advantage of programs with proven results, such as the Jobs for America's Graduates program—or JAG. Last month, I agreed to become the chairman of this terrific national program that helps at-risk students complete their high school diplomas.

I'm committed to expanding JAG. It works. So, as we evaluate programs over the next year, we'll maximize existing resources and work with the private sector to add 250 more programs all across Indiana within the next five years.

Strengthening our workforce will be one of the most important things we've ever undertaken. It's going to take a long-term commitment and an all-in approach among many stakeholders in every community. It must include multiple key state agencies and departments.

But the results when we succeed will position Indiana for even greater economic gains for your children, grandchildren and generations beyond.

And, for all Hoosiers to be successful, we must continue to cultivate our strong and diverse economy—modernizing traditional sectors like manufacturing and agriculture, strengthening those where we've built a competitive advantage—like aerospace and life sciences—and nourishing emerging ones, like tech.

That's exactly why we established the new \$250-million Next Level Indiana Trust Fund, and in the first quarter of this year we'll begin to make strategic investments to build and support more innovation and entrepreneurship in our state.

Tech is taking root in Hoosier soil. It's grown by nearly 28 percent in central Indiana since 2015. Take Infosys, which was the first Indian company on the New York Stock Exchange and is now in more than 50 countries. Infosys could have put its business tech hub anywhere—and they chose Indiana. That will mean 2,000 new jobs by the end of 2021—in areas such as artificial intelligence, emerging digital technologies, the cloud and big data.

Ladies and gentlemen, we have two executives from Infosys with us tonight. We're delighted you're here and growing in Indiana.

Infosys is just one of many examples: Salesforce, Appirio, Lessonly, and so many smaller companies have created a critical mass of talent, making Indiana one of the best places to be for tech in America.

With your help, we're clarifying the sales tax exempt status of software as a service in 2019, something 29 other states have already done and critical to our ability to continue to recruit these dynamic companies.

And, we'll expand our efforts to attract more veterans to relocate to Indiana when they leave their military service. We'll go to them and not wait on them to find us. Not only have our vets earned our gratitude and support, but their discipline, focus and motivation make them ideal workers for any Hoosier employer.

Keeping our economy humming requires that we continue to maintain and build up, and out, our infrastructure. Thanks to your leadership and the hard work of the great folks at INDOT—who will be smelling a lot of asphalt and concrete this year—we're starting to see the benefits of our long-term roads and bridges plan.

We'll open Section 5 of I-69 in August. The nearly 10,000 lane miles of pavement we'll resurface and the 1,300 bridges we'll repair or replace over the next five years are all paid for.

Of course, infrastructure is more than roads and bridges.

We're completing due diligence to add a fourth water port in

Southeastern Indiana, and we're working to add more direct flights in growing cities like South Bend, Fort Wayne and Evansville to strengthen Indiana's connection with markets throughout the country and the world.

It's also high time for Indiana to address our aging water infrastructure. State oversight is spread across several agencies, so we're going to form the executive branch governance structure needed to manage our operations and long-term strategy.

We're eager to work with lawmakers to get the ball rolling.

In the meantime, I'll direct the Indiana Finance Authority to designate half a million dollars each of the next two years for development of asset management plans for high need water and wastewater utilities.

We must also strengthen a certain segment of our ailing human infrastructure.

A big part of our focus on our people is to continue to attack the opioid epidemic head on. Under Jim McClelland's leadership, we're taking a balanced approach: treatment, prevention and enforcement.

Our efforts to integrate the technology needed to help physicians access the state's prescription drug monitoring system—known as INSPECT—are going even faster than we anticipated. In September, just one hospital was using the new system; now, more than half are on board and will be using the technology this year.

So, with your help:

- We're moving forward to require Indiana physicians to use INSPECT before ever issuing an opioid prescription.
- We'll seek to increase the number of opioid treatment locations from 18 to 27, so nearly everyone in the state will be less than an hour's drive to treatment.
- We'll improve our reporting of drug overdose deaths, so we know precisely the scale of the problem and can attract more funding to treat our citizens.
- And, we'll strengthen our enforcement efforts and send a clear signal to anyone who would profit from this scourge: If you deal or manufacture illegal drugs that result in someone's death, you will be charged with our highest-level felony and you will go to prison for a long, long time.

We all know, a healthy Indiana depends first and foremost on the health of our people. We are eagerly awaiting federal approval of our Healthy Indiana Plan extension. More than 400,000 Hoosiers are covered by this plan, which is improving behaviors and health outcomes.

Three successive administrations have built HIP into a national model, and we're ready to take it to the Next Level with expanded services to help those affected by the drug epidemic and help eligible members transition to meaningful employment.

We've worked closely with our federal partners for nearly a year, and I assure you that we'll continue to take care of Hoosiers and those who may seek coverage through this model plan.

Of course, "people" include our most vulnerable. Despite focused efforts, Indiana's infant mortality rate is unacceptable. Indiana regularly ranks among the worst states in the nation for infant mortality, lagging behind the national average and that of our Midwestern neighbors.

Six hundred twenty-three babies didn't live past the age of one in Indiana in 2016: 623.

We can and we will save more of them. Our infant mortality rate is a direct lens into the overall health of Hoosiers—so leading the charge will be our Health Commissioner Dr. Kris Box, who has devoted her career to mothers and babies, and FSSA secretary Dr. Jennifer Walthall, who to this day still works a shift a week at Riley Hospital for Children in addition to her day job.

We'll take an important step this year by working with you to implement a Levels of Care program to assure that the highest-risk babies are delivered at hospitals with the facilities to meet the needs of the mother and the baby.

But we must do more.

So tonight, I'm setting a goal to become the best state in the Midwest for infant mortality rates by 2024.

In recent weeks, the Department of Child Services has been the subject of headlines. I'll state right now: There's no one who cares more about Hoosier children than I do, and I'll do whatever is necessary to ensure the success of our agency and its mission.

I'm delighted that Terry Stigdon is coming on board as our new director and firmly believe that our big-three human services agencies—DCS, Health and FSSA—will partner now more than ever to address child and family issues.

We've engaged outside experts to conduct a complete assessment of the safety and welfare of our children. We'll be transparent and provide you with progress reports.

And, let's not forget the thousands of case-workers on the front lines who are engaged 24 hours a day, seven days a week—many in the toughest of circumstances—doing all they can to protect the most vulnerable among us. We all thank you for everything you are doing for our kids and for Indiana.

When you think about our ongoing efforts to deliver great government service, this is what it's all about: providing the opportunities and tools for every Hoosier—from the very oldest to the very youngest—to live their lives to the fullest.

I was reminded of that when I met with students from Cumberland Elementary School in West Lafayette who have spearheaded the push for several years to adopt the Say's Firefly as our official state insect. In fact, some of them are in my office right now watching this speech. At least, that's what they're supposed to be doing!

For those who may not know, Thomas Say—a renowned entomologist—named the Say's Firefly in 1826 while he lived in New Harmony. This is a great way for young students to be involved in the civic process. It will promote good citizens, and it will bring attention to science and the outdoors.

I've got their bug and to encourage these great kids and their perseverance, I'm taking up their cause this year—and I ask you to join us.

It's impossible to think about civics and people without honoring and remembering those who gave their lives so that we can continue to enjoy ours. Up in the balcony, the chair next to Janet symbolizes those Hoosier Heroes we lost this year.

Please join me for a moment of silence as we remember them.

As we salute our heroes, it's easy to overlook that Americans are divided on many issues—and governing often requires bridging those divides.

We Hoosiers have been blessed with a character that more often than not leads us to solve problems rather than assign blame and to work in common cause rather than tear each other down.

We have two exemplars with us here tonight: Eva Kor—the 2017 Schem recipient whose life has inspired me and countless others around the world—and Jim Atterholt, a true leader and mentor, who is retiring after 30 years of public service. Both have made tremendous contributions to our state, and both have lived lives full of respect and civility.

So, going forward, I'm going to view civility as the very foundation that all five pillars I just described rise up from. I'm convinced that our ultimate goals—this ambitious to-do list—will remain elusive unless we stay open to different points of views, treat each other with respect and focus not on what divides us, but on what we have in common.

E pluribus unum.

Colleagues, fellow Hoosiers: What a moment! It's a moment we've built toward, a moment full of potential. It's Indiana's time. We have an unprecedented opportunity to take Indiana to the Next Level and, along the way, help transform the lives of more Hoosier children, students and citizens than ever before.

I don't know about you, but there's no place I'd rather be and there's no one I'd rather share the journey with.

God Bless you all, and may God continue to bless our great state.

Lt. Governor Crouch adjourned the Joint Convention.

The House reconvened at 7:32 p.m. with the Speaker in the Chair.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as coauthor of House Bill 1002.

HUSTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cook be added as coauthor of House Bill 1045.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Torr, Huston and T. Brown be added as coauthors of House Bill 1061.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Heine be added as coauthor of House Bill 1066.

OBER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Saunders be added as coauthor of House Bill 1084.

HAMM

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Saunders be added as coauthor of House Bill 1085.

HAMM

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Saunders be added as coauthor of House Bill 1086.

HAMM

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as coauthor of House Bill 1100.

CHERRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative J. Young be added as coauthor of House Bill 1142.

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Carbaugh be added as coauthor of House Bill 1143.

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Torr be added as coauthor of House Bill 1144.

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cherry be added as coauthor of House Bill 1164.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Karickhoff and Cherry be added as coauthors of House Bill 1166.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Huston be added as coauthor of House Bill 1167.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be added as coauthor of House Bill 1209.

FRIEND

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Gutwein be added as coauthor of House Concurrent Resolution 2.

THOMPSON

Motion prevailed.

MESSAGE FROM THE SENATE

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

“I move that Senators Perfect, L. Brown, Melton and Tallian be appointed to act with a like committee of the House of Representatives to wait upon the Governor and to escort him to the Chamber of the House of Representatives to deliver his message to the General Assembly on January 9, 2018.”

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 adopted the following motion:

“I move that Senators Freeman, Spartz, G. Taylor and Lanane be appointed to act with a like committee of the House of Representatives to wait upon the Chief Justice and to escort her to the Chamber of the House of Representatives to deliver her message to the General Assembly on January 10, 2018.”

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Lehman, the House adjourned at 7:33 p.m., this ninth day of January, 2018, until Wednesday, January 10, 2018, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives