



Journal of the House

State of Indiana

119th General Assembly

First Regular Session

Twenty-sixth Day

Tuesday Afternoon

March 3, 2015

The invocation was offered by Reverend Randy Scott of Pentecostals of Southlake in Merrillville, a guest of Representative Jule Olthoff.

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 Julie Olthoff.

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

Arnold	Klinker
Austin	Koch
Aylesworth	Lawson
Bacon	Lehe
Baird <input type="checkbox"/>	Lehman
Bartlett	Leonard
Bauer <input type="checkbox"/>	Lucas
Behning	Macer
Beumer	Mahan
Borders	Mayfield
Braun	McMillin
C. Brown <input type="checkbox"/>	McNamara
T. Brown	D. Miller
Burton	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cook	Negele
Cox	Niezgodski
Culver	Nisly
Davisson	Ober
DeLaney	Olthoff
Dermody <input type="checkbox"/>	Pelath
DeVon	Pierce
Dvorak	Porter
Eberhart	Price
Errington	Pryor
Fine	Rhoads
Forestal	Richardson
Friend	Riecken
Frizzell	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Slager
Gutwein	Smaltz
Hale	M. Smith
Hamm	V. Smith
Harman	Soliday <input type="checkbox"/>
Harris	Speedy
Heaton	Stemler
Huston	Steuerwald
Judy	Sullivan
Karickhoff	Summers
Kersey	Thompson
Kirchhofer	Torr

Truitt
Ubelhor
VanNatter
Washburne
Wesco

Wolkins
Wright
Zent
Ziemke
Mr. Speaker

Roll Call 270: 92 present; 8 excused. The Speaker announced a quorum in attendance. [NOTE: indicates those who were excused.]

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Friend.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 29

Representatives Bosma, Arnold, Austin, Aylesworth, Bacon, Baird, Bartlett, Bauer, Beumer, Braun, C. Brown, T. Brown, Burton, Cherry, Clere, Cook, Cox, Culver, DeLaney, Dermody, DeVon, Eberhart, Errington, Fine, Forestal, Friend, Frizzell, Frye, Goodin, Hamm, Harman, Harris, Heaton, Huston, Judy, Karickhoff, Kersey, Kirchhofer, Koch, Lawson, Leonard, Macer, Mahan, Mayfield, McMillin, McNamara, Miller, Morris, Morrison, Negele, Niezgodski, Nisly, Olthoff, Pelath, Pierce, Price, Pryor, Rhoads, Richardson, Schaibley, Slager, Smaltz, M. Smith, V. Smith, Soliday, Speedy, Steuerwald, Sullivan, Summers, Thompson, Torr, Truitt, Ubelhor, VanNatter, Washburne, Wesco, Wolkins, Zent and Ziemke introduced House Concurrent Resolution 29:

A CONCURRENT RESOLUTION recognizing Major General R. Martin Umbarger on the occasion of his retirement as Adjutant General of Indiana.

Whereas, Major General R. Martin Umbarger was appointed as Adjutant General of Indiana on March 11, 2004, reappointed by Governor Mitchell E. Daniels, Jr. on December 1, 2004, and then reappointed by Governor Michael Pence on December 13, 2012;

Whereas, While serving as Adjutant General, Major General Umbarger's primary duty was to provide a guiding force for the over 15,800 Indiana Army and Air National Guard, Indiana Guard Reserve, and State employees;

Whereas, Beginning his career as an enlisted man in the Indiana Army National Guard in 1969, Major General Umbarger was commissioned as a Second Lieutenant, Infantry Branch, after graduating from the Indiana Military Academy as a Distinguished Military Graduate in June 1971;

Whereas, Prior to being named as Adjutant General, Major General Umbarger served as the Deputy Commanding General (Reserve Component), United States Forces Command;

Whereas, Major General Umbarger has also served as the Assistant Division Commander for Training, 38th Infantry Division (Mechanized) and Commanding General of the 76th Infantry Brigade (Separate);

Whereas, During his career, Major General Umbarger has directed the pre-mobilized training, deployment, and redeployment of virtually all units of the Indiana Army and Air National Guard in support of the Global War on Terrorism and has served as a member of the Secretary of the Army's Reserve Forces Policy Committee and the Secretary of Defense's Reserve Forces Policy Board;

Whereas, As a graduate of the University of Evansville, the United States Command and General Staff College, and the United States Army War College, Major General Umbarger has been recognized throughout his career with many awards and decorations, including the Legion of Merit (2nd Award), Meritorious Service Medal (Oak Leaf Cluster), Army Commendation Medal, Army Achievement Medal, Army Reserve Components Achievement Medal (7th Award), National Defense Service Medal, Armed Forces Reserve Medal (with 1 hour glass device), Army Service Ribbon, Army Reserve Components Overseas Training Ribbon, Army Staff Identification Badge, Indiana Long Service Medal, Indiana Emergency Service Medal, and Indiana Distinguished Service Medal (Bronze OLC); and

Whereas, A true hero, patriot, and public servant to the State of Indiana and its citizens, Major General R. Martin Umbarger has served our state for nearly five decades providing outstanding leadership and insight: 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 wishes to thank Major General R. Martin Umbarger for his dedication and service to the State of Indiana and its citizens.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Major General R. Martin Umbarger.

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 Long.

The Speaker Pro Tempore yielded the gavel to the Speaker.

House Concurrent Resolution 30

Representatives Lawson and Slager introduced House Concurrent Resolution 30:

A CONCURRENT RESOLUTION honoring Dennis Shults, Bill Emerson, Ernie Dillon, Patrick O'Donnell, and Don Shults.

Whereas, In 2004 Dennis Shults, Bill Emerson, Ernie Dillon, Patrick O'Donnell, and Don Shults began a television program airing on Comcast Cable in Lake County called "Veterans Views";

Whereas, In 2009 the group approached WJOB radio, AM 1230, in Hammond with the idea of bringing the show to radio;

Whereas, The program was designed to be an outreach to veterans and the community using a call-in format;

Whereas, The first show was scheduled to last for 30 minutes, but the call volume was so great that the station let the show run for 90 minutes for the next several months;

Whereas, The show enjoys a viewing audience from all over the world via livestream WJOB1230.com and has callers from throughout the United States, Denmark, Germany, and Australia;

Whereas, The "Veterans Views" was presented with the Excellence in Communication award in 2011 by the American Legion Department of Indiana; and

Whereas, Dennis Shults, Bill Emerson, Ernie Dillon, Patrick O'Donnell, and Don Shults are dedicated to helping those who have served their country bravely and with honor: 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 many accomplishments of Dennis Shults, Bill Emerson, Ernie Dillon, Patrick O'Donnell, and Don Shults and the hours they have dedicated to helping the veterans of our state, our country, and the world.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Dennis Shults, Bill Emerson, Ernie Dillon, Patrick O'Donnell, and Don Shults and WJOB radio in Hammond.

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 Mrvan.

House Resolution 21

Representatives Lawson, Macer, Baird, Zent and Leonard introduced House Resolution 21:

A HOUSE RESOLUTION recognizing the work of Circle City Carvers.

Whereas, The Eagle Cane Project was established after September 11, 2001;

Whereas, The Eagle Cane Project began from a desire to help injured veterans who had suffered a leg, foot, hip, or related injury;

Whereas, When word spread about the Eagle Cane Project, carving clubs throughout the country began volunteering to help with the project;

Whereas, Today there are hundreds of woodcarving clubs in 48 states that are volunteering their efforts on behalf of injured veterans everywhere;

Whereas, Each cane is personalized for the recipient, incorporating requests for particular carvings on each cane;

Whereas, The local chapter of the Circle City Carvers has distributed canes to numerous recipients;

Whereas, The latest recipients are James B. Zuber, who will receive a cane carved by Bob McKnight; Kent Morgan, whose cane will be made by Jeannie Johnson; Maggie Aldrich will carve a cane for Colonel David Shorter; and Tony Paul Thomas will receive the work of Sherrie Beck; and

Whereas, These brave men and women have given their all in defense of our beloved country; it is fitting and just that special recognition be given to them and to the Eagle Cane Project: Therefore,

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

SECTION 1. That the Indiana House of Representatives acknowledges the efforts of the Circle City Carvers on behalf of our valiant soldiers in an effort to make their lives easier and happier.

SECTION 2. That the Principal Clerk of the House of Representatives transmit four copies of this resolution to Rallie Murphy.

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

House Resolution 22

Representatives Macer and Frye introduced House Resolution 22:

A HOUSE RESOLUTION urging the legislative council to assign to the appropriate study committee the topic of special death benefits.

Whereas, Under existing law, a special death benefit fund is established for the purpose of paying lump sum death benefits for a public safety officer who dies in the line of duty before January 1, 1998; and

Whereas, Established under IC 5-10-10-5, the special death benefit fund should be studied further to ensure that it is still relevant to today's worker: 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 special death benefits.

SECTION 2. That the legislative council should additionally urge the appropriate committee to study the possibility of including other entities in the special death benefit fund.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures

House Resolution 23

Representative Bosma introduced House Resolution 23:

A HOUSE RESOLUTION memorializing Joey Morris.

Whereas, Joey Morris was a House Republican member services intern for Representatives Behning, Friend, and Frizzell during the 2013 session;

Whereas, Joey began his career as a House Republican legislative assistant in November 2014 and served Representatives Frye, Huston, and Karickhoff;

Whereas, Joey was born in Canada twenty-four years ago but for many years called Santa Claus, Indiana, home;

Whereas, Joey worked on several successful campaigns and was a fixture in Southern Indiana politics;

Whereas, Joey was a graduate of the University of Southern Indiana and earned a degree in political science with a minor in radio/television broadcasting, becoming the first person in his family to graduate from college;

Whereas, Joey enjoyed traveling around the world, including trips to Sydney, Australia, as well as China;

Whereas, Joey was a snappy dresser and had a personal style that was eccentric, individual, and memorable;

Whereas, Joey loved Paul McCartney, Harry Potter, Goodwill, politics, and the Vikings;

Whereas, Joey loved working for the House of Representatives and had a passion for helping people;

Whereas, Joey had an infectiously positive attitude, knew everyone's name, lifted those up around him, and was a true friend;

Whereas, Joey loved his family and is survived by his father, Mark, his mother, Shelley, his brother, Justin, and his sister, Jenna; and

Whereas, Joey was respected by all those who knew him and will be missed everyday: Therefore,

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

SECTION 1. That the Indiana House of Representatives mourns the passing of this outstanding young man and extends its heartfelt sympathy to his family.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to his father, Mark, mother, Shelley, brother, Justin, and sister, Jenna.

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

The House stood for a moment of silence in memory of Joey Morris.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 14 were read a first time by title and referred to the respective committees:

SB 370 — Bacon, McNamara, Sullivan, Riecken
Committee on Veterans Affairs and Public Safety

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

SB 373 — Lehman
Committee on Financial Institutions

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

SB 379 — Ubelhor, Pierce
Committee on Ways and Means

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

SB 380 — Slager, Lawson L, Forestal
Committee on Veterans Affairs and Public Safety

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

SB 382 — Soliday, Karickhoff
Committee on Ways and Means

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning local government.

SB 383 — VanNatter, Speedy, Karickhoff
Committee on Roads and Transportation

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

SB 387 — Huston
Committee on Ways and Means

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

SB 393 — Truitt, Price
Committee on Local Government

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

SB 394 — McMillin, Soliday, Olthoff, Slager
Committee on Government and Regulatory Reform

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

SB 395 — Arnold L, Davisson
Committee on Ways and Means

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

SB 398 — Ubelhor, Zent
Committee on Roads and Transportation

- A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 403** — Clere, Brown C, Errington
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 406** — McMillin, Ziemke
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- SB 408** — Morris, Hale
Committee on Commerce, Small Business and Economic Development
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- SB 409** — Huston
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.
- SB 411** — McNamara
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- SB 412** — Koch
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.
- SB 415** — Clere, Hamm, Moed, Forestal
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- SB 419** — Brown T
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.
- SB 420** — Clere, Klinker, McNamara
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- SB 423** — Leonard, Huston, Goodin
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 424** — Richardson, Saunders
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.
- SB 429** — Slager, Fine
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- SB 433** — Lucas
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 434** — Baird
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.
- SB 437** — Truitt, Lehe
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- SB 438** — Brown T
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 439** — Brown T
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- SB 441** — Huston
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 443** — Behning
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 456** — Leonard
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.
- SB 460** — Brown T, Brown C
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- SB 461** — Clere, Bacon
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- SB 462** — Zent, Davisson, Kirchhofer, Brown C
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- SB 463** — Brown T, Brown C
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.
- SB 465** — Clere, Brown T, Brown C
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- SB 466** — Richardson
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 467** — Culver
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 469 — Koch, Arnold L, Frye R
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning utilities.

SB 473 — Koch, Stemler, Aylesworth
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 474 — Koch, Stemler
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT concerning utilities.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, March 5, 2015, at 10:00 a.m.

MCMILLIN

The motion was adopted by a constitutional majority.

OTHER BUSINESS ON THE SPEAKER’S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as cosponsor of Engrossed Senate Bill 393.

TRUITT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives VanNatter, Stemler and Goodin be added as cosponsors of Engrossed Senate Bill 433.

LUCAS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hale be added as cosponsor of Engrossed Senate Bill 473.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hale be added as cosponsor of Engrossed Senate Bill 474.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Burton, Friend, McMillin, Torr, Frye, Koch, T. Brown, Cherry, Lehman, Wesco, Karickhoff, Clere, Gutwein, Culver, Miller, Mahan, M. Smith, Thompson, Rhoads, Braun, Judy, Eberhart, Morris, Price, Nisly, Morrison, Schaibley, Steuerwald, Frizzell, Borders, Negele, Aylesworth, Sullivan, Behning, Richardson, Lehe, Speedy, Huston, Olthoff, Mayfield, VanNatter, McNamara, Kirchhofer, Heaton, Zent, Leonard, Ubelhor, Cox, Lucas, Smaltz, DeVon, Ober, Carbaugh, Saunders, Cook, Beumer, Slager, Fine, Washburne, Bacon, Davisson, Hamm, Arnold, Moed, Hale, Niezgodski, Bartlett, Moseley, Wright, Shackelford, Macer, Errington, Stemler, Pierce, Summers, DeLaney, Forestal, Riecken, Pryor, Austin, Kersey, GiaQuinta, Dvorak, V. Smith, Porter, Klinker, Goodin, Pelath, Lawson and Harris be added as coauthors of House Resolution Bill 23.

BOSMA

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Mahan, the House adjourned at 2:55 p.m., this third day of March, 2015, until Thursday, March 5, 2015, at 10:00 a.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives