



Journal of the House

State of Indiana

118th General Assembly

Second Regular Session

Fifth Day

Tuesday Afternoon

January 14, 2014

The invocation was offered by Reverend Michael Jones, Senior Pastor of Progressive Baptist Church in Indianapolis, the guest of Representative Cherrish S. Pryor.

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 Cherrish S. Pryor.

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 <input type="checkbox"/>	Macer
Beumer	Mahan
Braun	Mayfield <input type="checkbox"/>
C. Brown	McMillan
T. Brown <input type="checkbox"/>	McNamera
Burton	Messmer
Candelaria Reardon	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cox	Neese
Culver	Negele
Davisson <input type="checkbox"/>	Niemeyer
DeLaney	Niezgodski
Dermody	Ober
DeVon	Pelath
Dvorak	Pierce
Eberhart	Porter
Errington	Price
Forestal	Pryor
Friend	Rhoads
Frizzell	Richardson
Frye	Riecken
GiaQuinta	Saunders <input type="checkbox"/>
Goodin	Shackelford
Gutwein	Slager
Hale	Smaltz
Hamm	M. Smith
Harman	V. Smith
Harris	Soliday
Heaton	Speedy <input type="checkbox"/>
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 13: 94 present; 6 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 15, 2014, at 1:30 p.m.

FRIEND

The motion was adopted by a constitutional majority.

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 1003 — Braun, Heuer

Committee on Commerce, Small Business and Economic Development

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

HB 1005 — McMillin

Committee on Select Committee on Government Reduction

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

HB 1006 — Steuerwald, McMillin, Pierce, Lawson

Committee on Courts and Criminal Code

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

HB 1180 — Frye

Committee on Roads and Transportation

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

HB 1181 — Frye

Committee on Education

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

HB 1182 — GiaQuinta

Committee on Judiciary

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

HB 1183 — Wolkins

Committee on Environmental Affairs

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

- HB 1184** — Heuer
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1185** — Errington
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1186** — Thompson
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1187** — Bacon
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- HB 1188** — Lehe, Cherry, Baird
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1189** — Soliday
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.
- HB 1190** — Slager
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- HB 1191** — Friend, Steuerwald, Lehe
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1192** — Lawson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.
- HB 1193** — Lawson, Niemeyer
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- HB 1194** — Karickhoff
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1195** — Cherry, Thompson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1196** — Truitt, Huston, Ober
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- HB 1197** — DeLaney
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.
- HB 1198** — Heuer, Negele, Sullivan
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- HB 1199** — Lehe
Committee on Agriculture and Rural Development
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- HB 1200** — Lehe, Baird, Friend
Committee on Agriculture and Rural Development
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.
- HB 1201** — Pelath
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1202** — Bacon
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1203** — Friend, Wolkins
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.
- HB 1204** — Huston
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1205** — Lehman
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.
- HB 1206** — Lehman
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.
- HB 1207** — Rhoads
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1208** — Moed
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.
- HB 1209** — Moed
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1210** — Moed, Arnold, VanDenburgh
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.
- HB 1211** — T. Brown
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1212 — McNamara

Committee on Employment, Labor and Pensions

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

HB 1213 — McNamara, Mahan

Committee on Education

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

HB 1214 — Bacon

Committee on Public Health

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

HB 1215 — Clere, Turner, Soliday, Dvorak

Committee on Ways and Means

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

HB 1216 — Truitt

Committee on Local Government

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

HB 1218 — Davisson, Clere

Committee on Public Health

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

HB 1219 — Cherry

Committee on Roads and Transportation

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

HB 1220 — Lawson

Committee on Courts and Criminal Code

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

HB 1221 — Lawson

Committee on Public Policy

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

HB 1222 — Kubacki

Committee on Family, Children and Human Affairs

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

HB 1223 — Saunders, Heuer, Lehman, Battles

Committee on Roads and Transportation

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

HB 1224 — DeVon

Committee on Insurance

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

HB 1225 — Karickhoff

Committee on Ways and Means

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

HB 1226 — Moseley

Committee on Ways and Means

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

HB 1227 — Moseley

Committee on Ways and Means

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

HB 1228 — Battles

Committee on Ways and Means

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

HB 1229 — Kirchhofer

Committee on Government and Regulatory Reform

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

HB 1230 — Negele, Clere

Committee on Ways and Means

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

HB 1231 — Gutwein, Niezgodski

Committee on Employment, Labor and Pensions

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

HB 1232 — Gutwein

Committee on Employment, Labor and Pensions

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

HB 1233 — Thompson

Committee on Education

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

HB 1234 — Thompson, Clere

Committee on Ways and Means

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

HB 1235 — Riecken, Koch, Burton, Moed

Committee on Financial Institutions

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

HB 1236 — Errington

Committee on Education

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

HB 1237 — Soliday

Committee on Roads and Transportation

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

HB 1238 — Smaltz

Committee on Ways and Means

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

HB 1239 — Smaltz

Committee on Ways and Means

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

HB 1240 — Carbaugh

Committee on Local Government

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

- HB 1241** — Carbaugh
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.
- HB 1242** — Carbaugh, Macer, Morris, Ober
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.
- HB 1243** — Carbaugh
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- HB 1244** — Niezgodski
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1245** — Heaton, Burton
Committee on Financial Institutions
A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.
- HB 1246** — Carbaugh
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- HB 1247** — Smaltz, Carbaugh, GiaQuinta
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.
- HB 1248** — Smaltz, Ober
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1249** — Frye
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1250** — Bacon
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- HB 1251** — Battles
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1252** — Harris
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1253** — Zent
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- HB 1254** — Arnold
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1255** — Price, Burton
Committee on Financial Institutions
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- HB 1256** — Austin, Heuer
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1257** — Austin, Lutz, Lawson
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1258** — Shackleford, Davisson, Clere
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- HB 1259** — Shackleford
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- HB 1260** — Cox
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.
- HB 1261** — Cox
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1262** — Moed
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.
- HB 1263** — Kersey
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1264** — Truitt
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- HB 1265** — Dermody, Lawson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.
- HB 1266** — Leonard
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1267** — Negele, Karickhoff
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- HB 1268** — Steuerwald, McMillin, Pierce, Lawson
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1269 — Steuerwald, McMillin, Pierce, Lawson
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1271 — Eberhart, Austin, Lutz, Cherry
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

HB 1272 — Stemler
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1273 — Bartlett
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1274 — Bartlett
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1275 — DeLaney
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

HB 1276 — Slager
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1277 — Slager
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1279 — McMillin
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1280 — Clere, Burton, Riecken
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1281 — Culver, Kubacki, Richardson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1282 — Culver
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1283 — Pierce
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1284 — Pierce
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1285 — Stemler, Clere
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1286 — Sullivan, Soliday
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning transportation

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1063, 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 1063 as introduced.)

Committee Vote: Yeas 11, Nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1079, 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 1079 as introduced.)

Committee Vote: Yeas 11, Nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1121, 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 1121 as introduced.)

Committee Vote: Yeas 13, Nays 0.

MAHAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1126, 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 1126 as introduced.)

Committee Vote: Yeas 9, Nays 4.

GUTWEIN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1075, 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:

Between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-10.2-4-4, AS AMENDED BY P.L.115-2008, SECTION 12, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The computation of benefits under this section is subject to IC 5-10.2-2-1.5.

(b) For retirement benefits payable on and after July 1, 1975, for a member retired on and after January 1, 1956, the pension (p) is computed as follows:

STEP ONE: Multiply one and one-tenths percent (1.1%) times the average of the annual compensation (aac) and obtain a product.

STEP TWO: To obtain the pension, multiply the STEP ONE product by the total creditable service (scr) completed by the member on the member's retirement date.

Expressed mathematically:

$$p = (.011) \text{ times } (aac) \text{ times } (scr)$$

(c) Unless the member:

(1) has chosen a lump sum payment under section 2(b) of this chapter;

(2) has elected to withdraw the entire amount in the member's annuity savings account under IC 5-10.2-3-6.5; or

(3) elects to defer receiving in any form the member's annuity savings account under section 2(c) of this chapter; the annuity is the amount purchasable on the member's retirement date by the amount credited to the member in the annuity savings account. The amount purchasable is based on actuarial tables adopted by the board under IC 5-10.2-2-10 at an interest rate determined by the board **under IC 5-10.5-4-2.6.**

Page 1, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 3. IC 5-10.5-4-2.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 2.6. (a) The board shall establish not later than July 1 each year the interest rate used to determine the annuity amount purchasable by a member of:**

(1) the public employees' retirement fund; or

(2) the teachers' retirement fund;

who elects to receive, as part of the member's retirement or disability benefit, an annuity provided by the amount credited to the member in the member's annuity savings account. The interest rate applies for the year beginning July 1, beginning July 1, 2014.

(b) The interest rate established under subsection (a) must equal at least the rate of return earned by the retirement allowance accounts of the public employees' retirement fund and the teachers' retirement fund for the twelve (12) months immediately preceding July 1."

Renumber all SECTIONS consecutively.

(Reference is to HB 1075 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

GUTWEIN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1117, 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:

Replace the effective date in SECTION 1 with "[EFFECTIVE JANUARY 1, 2015]".

(Reference is to HB 1117 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

FRYE, Chair

Report adopted.

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

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 4

Representatives Bosma and Huston introduced House Concurrent Resolution 4:

A CONCURRENT RESOLUTION recognizing the accomplishments of Luke Bielawski.

Whereas, Luke Bielawski, a 24-year-old law school student, founded the Get On The Green Foundation, a nonprofit 501c(3) corporation dedicated to raising awareness and money through golf-related fundraising events to help worthwhile national, regional, and local charities;

Whereas, During the summer of 2013, Fishers native Luke Bielawski conducted a fundraising event in which he "teed off" from the shores of the Pacific Ocean, striking a golf ball across the United States, and completing his journey on the shores of the Atlantic, finishing with a final score of 52,345 and losing 5,540 golf balls;

Whereas, Luke's 2,928-mile journey took place along paved, two-lane country roads and remote highways from Ventura, California, to Kiawah Island, South Carolina, but often required that he putt his way through congested areas in many cities and towns;

Whereas, Inspired by the movie Forrest Gump, Luke Bielawski was searching for a way to have a positive impact on the lives of young people when he decided to golf across America;

Whereas, Calling his journey "From Tee to Shining Tee," Luke successfully raised more than \$60,000 for scholarships for Providence Cristo Rey High School, whose Cristo Rey Network nationally runs 26 schools with about 8,000 students; and

Whereas, Dedication to a cause such as this deserves 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 wishes to recognize the effort put forth by Luke Bielawski on behalf of Providence Cristo Rey High School and its students.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Luke Bielawski and his family.

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 BILLS ON SECOND READING

House Bill 1008

Representative Steuerwald called down House Bill 1008 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1008-2)

Mr. Speaker: I move that House Bill 1008 be amended to read as follows:

Page 36, after line 31 begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "committee" refers to the interim study committee on violent crime established by this SECTION.

(b) There is established the interim study committee on

violent crime. The committee shall study the causes of violence and violent crime in Indiana and shall develop solutions.

(c) The committee shall operate under the policies governing study committees adopted by the legislative council.

(d) The committee consists of the following members:

(1) Four (4) members of the house of representatives, appointed by the speaker of the house of representatives, not more than two (2) of whom are members of the same political party.

(2) Four (4) members of the senate, appointed by the president pro tempore of the senate, not more than two (2) of whom are members of the same political party.

The speaker of the house of representatives shall appoint a chairperson of the committee from the members appointed under subdivision (1).

(e) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

(e) This SECTION expires November 1, 2014. SECTION 5. An emergency is declared for this act." Renumber all SECTIONS consecutively.

(Reference is to HB 1008 as printed January 10, 2014.) BARTLETT

Motion withdrawn. The bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1041

Representative Gutwein called down Engrossed House Bill 1041 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

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

Roll Call 14: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Paul.

Engrossed House Bill 1057

Representative Slager called down Engrossed House Bill 1057 for third reading:

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

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

Roll Call 15: yeas 91, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray and Arnold.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representatives Koch, Frye and Forestal be added as coauthors of House Bill 1007.

ARNOLD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Cherry and Goodin be added as coauthors of House Bill 1039.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Frye, Zent and Klinker be added as coauthors of House Bill 1041.

GUTWEIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Eberhart and VanNatter be added as coauthors of House Bill 1048.

LUCAS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Shackelford be added as coauthor of House Bill 1051.

ERRINGTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as coauthor of House Bill 1153.

TURNER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bacon and DeLaney be added as coauthors of House Bill 1057.

SLAGER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that a committee of four members of this House be appointed by the Speaker to act with a like committee of the Senate to wait upon the Governor and escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly.

FRIEND

Motion prevailed.

The Speaker appointed Representatives Leonard, McNamara, Hale and Battles.

HOUSE MOTION

Mr. Speaker: I move that a committee of four members of this House be appointed by the Speaker to act with a like committee of the Senate to wait upon the Chief Justice of the Supreme Court of the State of Indiana and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly.

FRIEND

Motion prevailed.

The Speaker appointed Representatives Cox, Torr, DeLaney and V. Smith.

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bills 1075 and 1117 had been referred to the Committee on Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 8 and 9 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 adopted the following motion:

"I move that Senators Pat Miller, Banks, Hume and Randolph be appointed to act with a like committee of the House of Representatives to wait upon the Governor and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly on January 14, 2014."

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 Holdman, Bray, Broden and Tallian be appointed to act with a like committee of the House of Representatives to wait upon the Chief Justice of the Supreme Court of the State of Indiana and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly on January 15, 2014."

JENNIFER L. MERTZ
Principal Secretary of the Senate

RECESS**JOINT CONVENTION**

The members of the 118th 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 Brandt Hershman, Majority Caucus Chair James W. Merritt, Jr., Minority Floor Leader Timothy Lanane, Assistant Minority Floor Leader Jean Breaux, and Minority Caucus Chair James R. Arnold; the House leadership, Majority Floor Leader William C. Friend, Majority Caucus Chair Kathy Kreag Richardson, Speaker Pro Tempore P. Eric Turner, Minority Leader Scott D. Pelath, Minority Floor Leader Linda C. Lawson, and Minority Caucus Chair Vanessa J. Summers; and the honored guests as follows: First Lady Karen Pence, wife of Governor Mike Pence; Mr. Michael Pence, son of Governor Mike Pence; Mrs. Nancy Pence-Fritsch, mother of Governor Mike Pence; Mr. Bernie Barcio, step father of Mrs. Pence; Mrs. Cheryl Bosma, my wife; The Honorable Connie Lawson, Secretary of State; The Honorable Suzanne Crouch, State Auditor; The Honorable Richard Mourdock, Treasurer; The Honorable Greg Zoeller, Attorney General; The Honorable Glenda Ritz, State Superintendent of Public Instruction; Chief Justice Brent Dickson, Indiana Supreme Court and his wife Jan; Justice Robert Rucker, Indiana Supreme Court; Justice Steven David, Indiana Supreme Court; Justice Mark Massa, Indiana Supreme Court; Justice Loretta Rush, Indiana Supreme Court and her husband Jim ; Chief Judge Nancy Vaidik, Chief Judge of the Indiana Court of Appeals; Judge John Baker, Indiana Court of Appeals; Judge Patricia Riley, Indiana Court of Appeals; Judge Margret Robb, Indiana Court of Appeals; Judge Michael

Barnes, Indiana Court of Appeals; Judge Elaine Brown, Indiana Court of Appeals; Judge Rudolph Pyle III, Indiana Court of Appeals; The Honorable Greg Ballard, Mayor of Indianapolis and his wife Winnie; The Honorable Greg Goodnight, Mayor of Kokomo; The Honorable Ron Meer, Mayor of Michigan City; The Honorable Denny Spinner, Mayor of Huntingburg ; Special Guests of Governor Pence: Mr. Steve Perkins (2014 Indiana Teacher of the Year), Ms. Karen Sauer and her children Neven & Dusten, Mr. Paul Perkins, Mr. Nate Richardson, Sgt. 1st Class Malkia Dowdell from the 38th Infantry Division Indiana National Guard, Sgt. Marc Muehling – 2-150th with the Field Artillery Indiana National Guard, and SSgt. Nick Leis – 113th ASOS Air Guard Air Support Operations Squadron Indiana National Guard.

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

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

"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, distinguished guests, I have the high honor of presenting to you the Governor, the Honorable Mike Pence."

Governor Pence was escorted to the rostrum by Representatives Leonard, McNamara, Hale and Battles and Senators Patricia Miller, Banks, Hume and Randolph.

STATE OF THE STATE

"Speaker Bosma, President Pro Tem Long, Lt. Governor Ellspermann, Senator Lanane, Representative Pelath, distinguished members of the General Assembly and Judiciary, honored guests, my fellow Hoosiers.

Thank you for that warm welcome. After last week, warm is my favorite word! I want to thank all of you in this room and your families for your service to the people of Indiana in this historic place.

One year ago today, we started on a journey together. I've learned a great deal traveling this state over that year, being with Hoosiers in good times and bad. From hiking with kids in Lincoln State Park to walking neighborhoods in Kokomo devastated by tornadoes, I've seen the character and spirit of our people firsthand—hardworking, resilient, and generous to those in need.

And from all that I've seen, I can say with conviction that the state of our state is strong and growing stronger every day. We have good government, because we serve great people!

And nowhere was that more obvious than during last week's arctic storm.

There was heartbreak of course, but it could have been a lot worse were it not for the efforts of our first responders who—without regard for their own health and safety—rescued countless Hoosiers, and our highway crews, utility workers, churches and charities who opened their doors to shelter those in need.

To our local police, fire, EMS, to our highway workers, and state police, to every Hoosier who reached out to a neighbor, thank you.

And I offer special appreciation to our citizen soldiers, who on short notice, deployed Highway Assistance Teams to rescue stranded Hoosiers and assist local first responders in the midst of the storm.

Joining us here tonight representing all those who answered the call of duty are Sergeant First Class Malika Dowdell from the 38th Infantry Division, Staff Sergeant Nick Leis of the 113th Air Support Operations Squadron, and Sergeant Marc Muehling of the second of the one-fiftieth Field Artillery.

The people of Indiana thank you all for your service, and so do I.

Moments like this should be about the future, but it's also important to see how far we've come in the past year.

Last year I told you we would make job creation job one, live within our means, improve our schools and cut taxes.

Thanks to the hardworking people of this state and all of you in this room, we did just what we said we would do. We balanced our budget, created jobs, cut red tape by 55 percent, improved our schools and roads, and paid down state debt.

I even put the state's plane up for sale. If you know anyone looking for a great deal on a Beechcraft King Air 200, give me a call!

We did all of that and gave Hoosiers the largest state tax cut in Indiana history.

As a result, Indiana has become a national leader in job growth. Last year, Hoosiers created more than 47,500 new private sector jobs. And we maintained our AAA credit rating.

In November, one out of every eight jobs created in this country was created right here in Indiana. Unemployment was 8.6 percent when I stood here last year. Today, while still too high, it's at a five-year low of 7.3 percent.

And since 2009, Indiana has the fifth fastest private sector job growth rate in the nation.

Most encouraging to this dad, Indiana's fourth and eighth graders recently showed the second best improvement in America in math and reading scores, and fourth-grade reading proficiency is the highest it has ever been.

We've made progress in jobs and schools, but with still-too-many Hoosiers out of work, with our state lagging behind in per capita income and health, and too many kids in underperforming schools, I believe we must remain relentless, bold and ambitious to keep Indiana moving forward.

Last month I travelled the state to outline my agenda for 2014. I want to share a few highlights with you tonight.

First, we all recognize that low taxes are essential to attracting investment and good-paying jobs.

Even with our recent progress, one significant impediment to business investment remains—it's called the business personal property tax.

This tax is especially damaging because it makes it harder for Hoosier businesses to grow by directly taxing any investments they make in equipment.

Taxing equipment and technology in a state that leads the nation in making and creating things just doesn't make sense.

And it looks like our neighboring states have figured that out. Ohio and Illinois don't have a business personal property tax, and Michigan lawmakers just voted to phase theirs out.

To make Indiana more competitive, let's find a responsible way to phase out this tax. But, let's do it in a way that protects our local governments and doesn't shift the burden of a business tax onto the backs of hardworking Hoosiers.

I appreciate that both the House and Senate leadership are looking at the business personal property tax and other ways to ensure that Indiana has the best tax climate possible.

Phasing out the business personal property tax will spur new investment by businesses large and small, like Coeus Technology, an advanced manufacturing startup in Anderson launched by a Marine veteran, whose products help support our troops.

Or Amatrol in Jeffersonville. Don and Roberta Perkins started their company in 1964 to manufacture technical training systems and interactive multimedia software for colleges, industry and high schools. Today, Amatrol employs 143 Hoosiers, and in 2010 it was named the Indiana Outstanding Business of the Year.

These are just two Indiana success stories that we can help with the right kind of tax reform. Join me in welcoming Nate Richardson of Coeus Technology and Paul Perkins of Amatrol who are with us tonight.

But we have to do more than just improve our tax code.

Because roads mean jobs, we need to release \$400 million for the next era of highway expansion, and put people to work now.

Because Indiana is agriculture, we need a permanent fix to the soil productivity factor.

Because Indiana's regional cities are vital to our state's economic development, we need public and private investment to improve quality of life.

That's the Indiana way to a growing future.

That way also means standing up to Washington, D.C., from time to time.

Most Hoosiers didn't like Washington intruding on our healthcare long before it became a reality. Now, more people than ever know why we were right to stand up to the federal government on the Affordable Care Act.

There's been a lot of talk about Medicaid. The sad truth is that traditional Medicaid is not just broke, it is broken.

Research shows that the program does not lead to better health outcomes and in some cases hurts the very people it is supposed to help. One analysis found two-thirds of the children on Medicaid who needed to see a specialist, couldn't.

Traditional Medicaid is not a system we need to expand. It's a system we need to change. The Healthy Indiana Plan is the right place to start.

The Healthy Indiana Plan is consumer-driven healthcare that moves people from emergency rooms to primary care and encourages low-income Hoosiers to take more ownership of their own healthcare decisions.

Let me be clear, we will continue to work in good faith with federal officials to expand our Healthy Indiana Plan. I will oppose any expansion of our health insurance system that condemns vulnerable Hoosiers to substandard health care or threatens the fiscal health of our state.

Of course, the most important aspect for achieving Indiana's long-term success is all about our kids. It's about our schools.

If we can't succeed in the classroom, we won't succeed in the marketplace. The great news is Indiana schools are succeeding.

This year more than 500 public schools improved a full letter grade or more. With nearly 20,000 Choice Scholarships currently in use, Indiana has the fastest growing school choice program in the country.

And, with strong bipartisan support from both Chambers, we are busy making career and vocational education an option again for every high school student in Indiana. We are expanding curricula in our high schools and developing new partnerships

with local businesses to support career and technical education on a regional basis.

While anyone who wants to go to college should be encouraged to go, there are a lot of good jobs in Indiana that don't require a college degree. These new partnerships will make sure our schools work for all our kids.

To ensure we succeed, I am proposing legislation that will conduct an in-depth assessment of how our career and technical education dollars are being spent.

And let's make sure that adults who have a high school degree get the skills they need to get back on their feet by repurposing current job training dollars to help adult workers get high-wage, high-demand jobs available today.

Hoosiers have high expectations when it comes to Indiana schools. That's why Indiana decided to take a time-out on national education standards.

When it comes to setting standards for schools, I can assure you, Indiana's will be uncommonly high. They will be written by Hoosiers, for Hoosiers and will be among the best in the nation.

Our progress is a testament to our students, our teachers, our parents, and our State Board of Education. Join me in thanking every member of the State Board of Education and Superintendent Glenda Ritz. It's good to see you all here tonight.

I've always said there's nothing that ails education in Indiana that can't be fixed by giving parents more choices and teachers more freedom to teach. To continue to give parents more choices, we can start in the area of early childhood development.

Because every child deserves to start school ready to learn, I believe the time has come for a voluntary pre-K program to help Indiana's low-income kids.

Now, I'll always believe the best pre-K program is a prosperous family that is able to provide the kind of enrichment in their home that every child needs and deserves. But the reality is that's not the case for many Indiana children.

It's important that the program be voluntary. It's important that the program is available in the form of a voucher. I want parents to be able to choose to send their child to a church-based program, a private program, or a public program that they think would best meet their needs.

Let's open the doors of opportunity to low-income families for preschool education, for their future and ours.

Another way to give parents more choices is to expand the availability of public charter schools.

Even though they are public schools, charters operate with several disadvantages. We need to level the playing field and allow charter schools to manage their budgets with the same flexibility as traditional public schools.

At the same time, in the interest of greater choices for families, we should make sure that unused and underutilized public school buildings can be put to good use by charters and other schools that need them.

Choice matters, but at the end of the day a good teacher makes all the difference. We can all think of a teacher that changed our lives—someone who saw more in us than we saw in ourselves. For me it was Sister Rachel and Mrs. Fisher.

Too often we don't invest enough in our teachers and allow them to lead as reformers. After all, they have dedicated their lives to education, and we should do more to unleash their creativity and expertise.

That's why I believe we need a teacher innovation fund to help teachers who are willing to try new ways to better teach our kids.

Teachers like Steve Perkins, a Latin teacher at North Central High School in Indianapolis, whose enthusiasm has ignited a passion for classical education in his school. Please join me in welcoming the 2014 Teacher of the Year, Steve Perkins, and his family.

And, with all the talk about parental choice, I believe teachers deserve more choice, too.

Any public school teacher who feels called to serve in a low-performing school or a public charter school serving low-income students should have some of their compensation protected if they are willing to make the move. Let's let our teachers follow their hearts, and go where they think they can make the most difference.

Now on the subject of marriage, we are in the midst of the debate over whether Indiana should join some 30 other states that have enshrined the definition of marriage in their state constitutions.

Each of us has our own perspective on the matter. For my part, I believe in traditional marriage, and I have long held the view that the people, rather than unelected judges, should decide matters of such great consequence to the society.

Reasonable people can differ, and there are good people on both sides of this debate. No one, on either side, deserves to be disparaged or maligned because of who they are or what they believe.

So let's have a debate worthy of our people with civility and respect.

Let's protect the rights of Hoosier employers to hire who they want and provide them with benefits that they earn. And let's resolve this issue this year once and for all.

And then, let's come together to support every Hoosier family. One way we can do that is by helping the family budget.

Did you know that our tax deductions for dependents in Indiana have not increased since 1978, even though the cost of living has increased 3.6 times?

It's time to index the personal and dependent exemptions to inflation and end this hidden tax increase on working families.

Let's also remember that families come together in many different ways. Like the family of Karen Sauer. Karen is a single mom who felt called to adopt. She adopted her two children, Neven and Dusten, when they were 11 and 12 years old, after they had both been in foster care for some time.

Karen says people always tell her she's changing her kids' lives. She says, "They are changing mine." Please join me in welcoming Karen and her children tonight.

Adoption is a beautiful way for families to come together forever. We can better support families like Karen's by expanding and improving adoption in Indiana.

We can improve the way we place children from state care into adoptive homes, and we can support every parent who is willing to lovingly adopt a child into their home. Let's make it our aim to make Indiana the most pro-adoption state in America.

Indiana is strong and growing stronger, but we still have work to do. We will only achieve our full potential by working together, like Hoosiers always do when it matters most.

Like on a warm summer day last July when two boys were walking on the dunes along Lake Michigan, and one of the boys suddenly disappeared.

Six-year-old Nathan Woessner simply vanished into the sand.

His dad ran to the scene, marshaling help even while frantically digging for his son. Michigan City police and fire raced to the dune and were joined by beach goers using their bare hands as local businesses rushed machinery to clear away the sand. Even reporters covering the story were seen using their notepads to dig.

For nearly three hours, no one gave up out of the nearly 140 people on that sand dune, until a firefighter felt a hand beneath the surface and pulled little Nathan to safety.

They called it the Miracle on Mt. Baldy.

When I called Nathan's dad at the hospital to see how he was, I told him I thought it was a miracle. Greg told me, "Governor, this is everyone's miracle." And so it was.

That's the Indiana way.

We are strong and good people, but we are never stronger than when we work together.

As I said a year ago, I say again tonight.

Together, we will build a more prosperous future.

Together, we can open doors of educational opportunity for all our kids.

And together, we can approach our third century with confidence.

With faith in Him who has ever guided this 19th star and boundless faith in all who go by the name Hoosier, I know the best is yet to come.

Thank you all very much. God bless you, our state, and the United States of America."

The President of the Senate adjourned the joint convention.

The House was called back to order by the Speaker.

The House adjourned at 7:32 p.m., this fourteenth day of January, 2014, until Wednesday, January 15, 2014 at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives