



Journal of the House

State of Indiana

114th General Assembly

Second Regular Session

Fifth Meeting Day

Tuesday Afternoon

January 10, 2006

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 William A. Crawford.

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

Aguilera	Koch
Austin	Kromkowski
Avery	Kuzman
Ayres	L. Lawson ☐
Bardon	Lehe
Bauer	Leonard
Behning	J. Lutz
Bell	Mahern
Bischoff	Mays
Borders	McClain
Borror	Messer
C. Bottorff	Micon
Bright	Moses
C. Brown	Murphy
T. Brown	Neese
Buck	Noe
Budak	Orentlicher
Buell	Oxley
Burton	Pelath
Cheney	Pflum
Cherry	Pierce
Cochran	Pond
Crawford	Porter
Crooks	Reske
Crouch	Richardson
Davis	Ripley
Day	Robertson
Denbo	Ruppel
Dickinson	Saunders
Dobis	J. Smith
Dodge	V. Smith
Duncan	Stevenson
Dvorak	Stilwell
Espich	Stutzman
Foley	Summers
Friend	Thomas
Frizzell	Thompson
Fry	Tincher
GiaQuinta	Torr
Goodin	Turner
Grubb	Tyler
Gutwein	Ulmer
E. Harris	VanHaafte
T. Harris	Walorski
Heim	Welch
Hinkle	Whetstone
Hoffman	Wolkins
Hoy	Woodruff
Kersey	Yount
Klinker	Mr. Speaker

Roll Call 8: 99 present; 1 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 Thursday, January 12, 2006 at 1:30 p.m.

WHETSTONE

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1010, 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 1, line 15, delete "Submitting" and insert "**Establishing**".

Page 1, line 15, delete "to the owner of" and insert "**for**".

Page 6, line 29, delete "five (5)" and insert "**three (3)**".

Page 7, line 42, delete "professionally engaged in making appraisals;" and insert "**licensed or certified as an appraiser under IC 25-34.1-8;**".

Page 8, line 1, delete "trained as an appraiser and".

Page 8, line 15, strike "the first appearance of" and insert "**thirty (30) days after the date the notice required in section 6 of this chapter is served on**".

Page 12, line 16, delete "the cost of acquiring the parcel" and insert "**by more than five percent (5%) the total cost of acquiring all the parcels of real property that are necessary to complete the project that includes the parcel of real property described in subdivision (1);**".

Page 12, delete lines 17 through 18.

Page 12, line 21, delete "will" and insert "**is expected to**".

Page 12, line 35, delete "the" and insert "**any other**".

Page 12, line 35, delete ", if any,".

Page 12, line 38, delete ":" and insert "**as a residence:**".

Page 12, line 42, delete "the" and insert "**any other**".

Page 12, line 42, delete ", if any,".

Page 13, line 8, delete "the" and insert "**any other**".

Page 13, line 8, delete ", if any,".

Page 13, line 14, after "any" insert "**reasonable**".

(Reference is to HB 1010 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

FOLEY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1023, 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.

Committee Vote: yeas 10, nays 0.

T. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1103, 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 1, delete line 17.

Page 2, line 4, delete "trailers" and insert "**trailers: (A)**".

Page 2, line 5, after "watercraft;" insert "**and**

(B) sold in general association with the sale of watercraft;".

Page 2, between lines 6 and 7, begin a new paragraph and insert: "SECTION 2. IC 9-13-2-196, AS AMENDED BY P.L.210-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway.

(b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not include the following:

- (1) A device moved by human power.
- (2) A vehicle that runs only on rails or tracks.
- (3) A vehicle propelled by electric power obtained from overhead trolley wires but not operated upon rails or tracks.
- (4) A firetruck and apparatus owned by a person or municipal division of the state and used for fire protection.
- (5) A municipally owned ambulance.
- (6) A police patrol wagon.
- (7) A vehicle not designed for or employed in general highway transportation of persons or property and occasionally operated or moved over the highway, including the following:
 - (A) Road construction or maintenance machinery.
 - (B) A movable device designed, used, or maintained to alert motorists of hazardous conditions on highways.
 - (C) Construction dust control machinery.
 - (D) Well boring apparatus.
 - (E) Ditch digging apparatus.
 - (F) An implement of agriculture designed to be operated primarily in a farm field or on farm premises.
 - (G) An invalid chair.
 - (H) A yard tractor.
- (8) An electric personal assistive mobility device.

(c) For purposes of IC 9-20 and IC 9-21, the term does not include devices moved by human power or used exclusively upon stationary rails or tracks.

(d) For purposes of IC 9-22, the term refers to an automobile, a motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school bus, a recreational vehicle, **a trailer or semitrailer used in the transportation of watercraft**, or a motorized bicycle.

(e) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air. The term does not include an electric personal assistive mobility device."

Re-number all SECTIONS consecutively.

(Reference is to HB 1103 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

DUNCAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1106, 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.

Committee Vote: yeas 11, nays 0.

T. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1111, 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.

Committee Vote: yeas 10, nays 1.

T. BROWN, Chair

Report adopted.

INTRODUCTION OF BILLS

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

HB 1007 — T. Harris

Committee on Ways and Means

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

HB 1008 — Borrer, Duncan

Committee on Ways and Means

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

HB 1009 — Torr, Ulmer, Neese

Committee on Elections and Apportionment

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

HB 1211 — Klinker, Ayres, Thompson, Micon

Committee on Ways and Means

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

HB 1212 — Dodge

Committee on Local Government

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

HB 1213 — Noe

Committee on Education

A BILL FOR AN ACT concerning education.

HB 1214 — Davis, Stilwell

Committee on Roads and Transportation

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

HB 1215 — Micon

Committee on Employment and Labor

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

HB 1216 — Cheney

Committee on Education

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

HB 1217 — Cheney

Committee on Financial Institutions

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

HB 1218 — Austin

Committee on Roads and Transportation

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

HB 1219 — C. Bottorff, Cochran

Committee on Ways and Means

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

HB 1220 — Reske, Thompson

Committee on Roads and Transportation

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

- HB 1221** — Reske, Richardson
Committee on Public Policy and Veterans Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning public safety and to make an appropriation.
- HB 1222** — Moses
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- HB 1223** — Tincher
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1224** — Tincher
Committee on Local Government
A BILL FOR AN ACT concerning taxation.
- HB 1225** — Dvorak, Heim
Committee on Utilities and Energy
A BILL FOR AN ACT concerning utilities and transportation.
- HB 1226** — Budak, Ayres, Woodruff, Day
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1227** — Budak, Ayres, Kromkowski
Committee on Employment and Labor
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1228** — Day
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning education finance and to make an appropriation.
- HB 1229** — Day
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning property.
- HB 1230** — Klinker, Woodruff, C. Brown, T. Brown
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- HB 1231** — Klinker, Ulmer
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1232** — Ayres
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.
- HB 1233** — Saunders
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1234** — Ruppel
Committee on Public Safety and Homeland Security
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- HB 1236** — Ruppel
Committee on Public Safety and Homeland Security
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.
- HB 1237** — Welch
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- HB 1238** — Welch, Ruppel, T. Brown, C. Brown
Committee on Public Safety and Homeland Security
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.
- HB 1239** — Ripley
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance and to make an appropriation.
- HB 1240** — Behning
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1241** — Stilwell
Committee on Employment and Labor
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.
- HB 1242** — Dvorak
Committee on Local Government
A BILL FOR AN ACT concerning the general assembly.
- HB 1243** **Withdrawn pursuant to House Rule 111**
- HB 1244** — Porter
Committee on Education
A BILL FOR AN ACT concerning state offices and administration.
- HB 1245** — Porter
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1246** — Bischoff
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- HB 1247** — Welch, Koch, Goodin, Turner
Committee on Public Policy and Veterans Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.
- HB 1248** **Withdrawn pursuant to House Rule 111**
- HB 1249** — Messer
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- HB 1250** — Messer
Committee on Public Policy and Veterans Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.
- HB 1251** — Goodin
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- HB 1252** — Goodin
Committee on Ways and Means
A BILL FOR AN ACT concerning education finance and to make an appropriation.

HB 1253 — Goodin

Committee on Natural Resources

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

HB 1254 — Goodin

Committee on Judiciary

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

HB 1255 — GoodinCommittee on Commerce, Economic
Development and Small Business

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

HB 1256 — Gutwein

Committee on Agriculture and Rural Development

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

HB 1257 — Bell

Committee on Education

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

HB 1258 — Yount, Saunders

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1259 — KochCommittee on Commerce, Economic
Development and Small Business

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

HB 1260 — Koch

Committee on Judiciary

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

HB 1261 — Burton

Committee on Government and Regulatory Reform

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

HB 1262 — Welch, Ruppel, L. Lawson, Foley

Committee on Judiciary

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

HB 1263 — Pierce

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1264 — Pierce, Pelath, Kromkowski

Committee on Utilities and Energy

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

HB 1265 — Pierce

Committee on Judiciary

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

HB 1266 — Borrer, Bell, T. HarrisCommittee on Commerce, Economic
Development and Small Business

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

HB 1267 — Borrer

Committee on Employment and Labor

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

HB 1268 — Denbo, Bright, Oxley

Committee on Public Safety and Homeland Security

A BILL FOR AN ACT concerning state offices and administration and to make an appropriation.

HB 1269 — Cheney, Dobis, Ayres

Committee on Education

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

HB 1270 — Fry

Committee on Insurance

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

HB 1271 — Tincher

Committee on Courts and Criminal Code

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

HB 1272 — McClain

Committee on Ways and Means

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

HB 1273 — Crawford

Committee on Ways and Means

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

HB 1274 — Crawford, Bauer

Committee on Ways and Means

A BILL FOR AN ACT concerning taxation and to make an appropriation.

HB 1275 — Crawford

Committee on Education

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

HB 1276 — Bright, Denbo, Thompson

Committee on Ways and Means

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

HB 1277 — Bright, Thompson

Committee on Judiciary

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

HB 1278 — Bright, Thompson, Reske

Committee on Local Government

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

HB 1279 — Murphy

Committee on Technology, Research and Development

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

HB 1280 — Murphy

Committee on Technology, Research and Development

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

HB 1281 — Murphy

Committee on Courts and Criminal Code

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

- HB 1282** — Murphy
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.
- HB 1283** — Noe
Committee on Public Safety and Homeland Security
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- HB 1284** — J. Lutz, Friend
Committee on Ways and Means
A BILL FOR AN ACT concerning human services and to make an appropriation.
- HB 1285** — Heim
Committee on Utilities and Energy
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1286** — Duncan
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- HB 1287** — Duncan
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.
- HB 1288** — Avery, Buell, Stilwell, Kromkowski
Committee on Employment and Labor
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans affairs.
- HB 1289** — Dvorak
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- HB 1290** — Aguilera
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- HB 1291** — Aguilera
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1292** — Aguilera
Committee on Governmental and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- HB 1293** — Aguilera
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1294** — Hoffman
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1295** — Saunders, Reske
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.
- HB 1296** — Buell
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- HB 1297** — Friend
Committee on Commerce, Economic Development and Small Business
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.
- HB 1298** — McClain
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1299** — Bardon
Committee on Financial Institutions
A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.
- HB 1302** — Summers
Committee on Public Health
A BILL FOR AN ACT concerning human services and to make an appropriation.
- HB 1303** — Grubb, Micon
Committee on Utilities and Energy
A BILL FOR AN ACT to amend the Indiana Code concerning human services and to make an appropriation.
- HB 1304** — Dodge
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers and to make an appropriation.
- HB 1305** — Tyler, Buell, Grubb
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- HB 1306** — Bright
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.
- HB 1307** — Torr
Committee on Employment and Labor
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.
- HB 1308** — Crouch
Committee on Commerce, Economic Development and Small Business
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.
- HB 1309** — Woodruff, Burton, Davis, Bright
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.
- HB 1311** **Withdrawn pursuant to House Rule 111**
- HB 1312** — Behning
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1313** — Tyler
Committee on Public Safety and Homeland Security
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.
- HB 1314** — Klinker, Thompson, Ulmer, Mays
Committee on Public Health
A BILL FOR AN ACT concerning human services.

HB 1315 — Thompson
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1316 — VanHaaften
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1317 — VanHaaften, Mays
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

HB 1318 — Borrer
Committee on Commerce, Economic
Development and Small Business
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1319 — Austin
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1320 — Woodruff
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1321 — Pelath, Oxley
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1322 — Pelath, Oxley
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1323 — Dodge
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1324 — Dickinson
Committee on Employment and Labor
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1325 — Dickinson
Committee on Employment and Labor
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1326 — Espich
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1327 — Espich
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1328 — Espich
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1329 — Mays, T. Harris, Crawford
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

HB 1330 — Hoffman
Committee on Employment and Labor
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1331 — Hoffman, Bischoff
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1332 — Friend
Committee on Utilities and Energy
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1333 — Messer
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

HB 1334 — Messer
Committee on Public Safety and Homeland Security
A BILL FOR AN ACT to amend the Indiana Code concerning public safety and to make an appropriation.

HB 1335 — Thompson
Committee on Public Policy and Veterans Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1336 — Thompson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1337 — Kersey
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1338 — T. Harris
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1339 — T. Harris
Committee on Commerce, Economic
Development and Small Business
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1340 — E. Harris
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 9

Representative Foley introduced House Concurrent Resolution 9:

A CONCURRENT RESOLUTION congratulating the members of the Martinsville High School girls softball team on the occasion of their victory in the 2005 Indiana High School Athletic Association Class 4A State Softball Championship.

Whereas, The Martinsville High School girls softball team defeated Lafayette McCutcheon 3-2 to win the 2005 Indiana High School Athletic Association (IHSAA) Class 4A State Softball Championship on June 11, 2005, at Ben Davis High School in Indianapolis, giving sixth-year coach Ken Rhoden and the Artesians their first softball state championship;

Whereas, This year's win was even sweeter coming after last year's 2-0 semifinal loss to 4A runner-up Center Grove;

Whereas, Junior catcher Jessica Breeden rocketed a two-out double in the bottom of the ninth inning to drive in senior second baseman Allison Lewis to give Martinsville High School the victory;

Whereas, Allison Lewis started the ninth-inning, two-out rally by doubling to right center, setting the stage for the dramatic finish;

Whereas, Sophomore Abby Calloway, who hit a two-RBI single in the bottom of the third, gave 28-1-1 Martinsville a strong performance on the mound, improving her record to 9-1 for the season and allowing only one earned run and five hits in the nine-inning game;

Whereas, The Artesians advanced to the Class 4A final game with victories over Terre Haute North, Mooresville, and Terre Haute South in the Terre Haute North Sectional; East Central and Castle in the Jeffersonville Regional; and Brownsburg in the Semi-Finals;

Whereas, The Championship victory capped off an amazing season for the Artesians;

Whereas, The team entered the 2004-2005 season with high expectations;

Whereas, Winning its last 21 games by an average of 4.5 - 0.8 and pitching 14 shutout games, the team met or exceeded all pre-season expectations;

Whereas, Coach Ken Rhoden attributes the outstanding season to hard work, dedication, and contributions made by everyone; and

Whereas, The Martinsville High School girls softball team stands as an example of what can come of hard work and discipline: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the members and coaches of the Martinsville High School girls softball team on their victory in the 2005 IHSAA Class 4A State Softball Championship and wishes them success in their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to team members Emily Sullivan, Jordan Baldrige, Lynn Zloty, Sarah Walls, Allison Baldrige, Abby Calloway, Jodi Porter, Jessica Breeden, Ryanne Gluff, Jessica Stoner, Leah Hoffman, Allison Lewis, Elizabeth Gwaltney, Logan Lucas, Mikala Trimble, Alaina Zloty, Brittany Pruitt, Megan Michel, Melissa Daniels, and Chelsea Scott; head coach Ken Rhoden; assistant coaches Rob Rhoden, John Roddy, Sarah Agler, Nicki Ewing, Katie Baughn, and Sarah Currier; athletic director Don Lipps; principal Don Alkire; and superintendent Ron Furniss.

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 Bray.

House Concurrent Resolution 10

Representative Friend introduced House Concurrent Resolution 10:

A CONCURRENT RESOLUTION to convene a Joint Session of the 114th General Assembly of the State of Indiana.

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

SECTION 1. That a joint convention of the Senate and House of Representatives be convened, to meet in the Chambers of the House of Representatives at 1:30 p.m., on Thursday, January 12th, 2006, to receive the Chief Justice's message, which will be given in compliance with Section 3 of Article 7 of the Constitution of the State of Indiana and the Speaker is hereby directed to appoint a committee of four members of this House to transmit this resolution to the Senate and report to this House such action as the Senate may take thereof.

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 Garton.

House Concurrent Resolution 11

Representative Foley introduced House Concurrent Resolution 11:

A CONCURRENT RESOLUTION honoring the Martinsville High School volleyball team for its victory in the Indiana High School Athletic Association Class 4A state volleyball championship.

Whereas, On Saturday, November 5, at Hinkle Fieldhouse on the campus of Butler University, the Martinsville High School volleyball team defeated Cathedral High School to become the 2005 Indiana High School Athletic Association (IHSAA) Class 4A state volleyball champions;

Whereas, This victory marked the 37-2 Artesians' first volleyball state title since 1996, although they appeared in the state championship game in 1990, 1991, 1994, and 1995;

Whereas, Martinsville trailed 11-10 in game one until senior middle blocker Jessica Breeden accounted for four straight points; Cathedral never came closer than two points the rest of the game;

Whereas, Cathedral won game two, 25-10;

Whereas, Game three was tight the entire way before the Artesians closed it out with three straight points, including kills by Danielle Goodnight and Mikindra Morin;

Whereas, Danielle Goodnight finished game three with a double-double of 17 kills and 15 digs, and Mikindra Morin had a match-high 48 assists and a team-high 16 digs.

Whereas, The fourth game was tied at 18 when Martinsville took a 24-20 lead, and sealed the state title on a kill by Jessica Breeden, who helped the Artesians to a softball state championship last spring;

Whereas, On the road to victory, the Artesians defeated number one ranked defending champion Muncie Central (34-4) in the semifinals;

Whereas, The Artesians' Mikindra Morin was chosen as the Mental Attitude Award winner, whose recipients are players who excel in mental attitude, scholarship, leadership, and athletic ability in volleyball;

Whereas, Mikindra Morin ranks 15th in her class of 345 with a 3.988 cumulative grade point average, is a National Honor Society student, and is a volunteer for the Humane Society and the youth volleyball league; and

Whereas, Excellence in athletics is achieved through dedication and determination; the Martinsville High School volleyball team has displayed outstanding ability and desire in achieving this level of excellence: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Martinsville High School volleyball team on its recent victory in the Class 4A IHSAA volleyball state championship and wishes the team continued success in their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to team members Kelsie Deaton, Mikindra Morin, Leann Cook, Jessica Long, Lyndy Errett, Carly Cramer, Shea Doran, Brittany Hamilton, Danielle Goodnight, Jessica Breeden, Sara Cramer, Elann Poe, Coach Sandy Garrard, Assistant Sherri Smiley, Assistant Michelle Chandler, Assistant Natalie Rhoden, Assistant Heather DeVaughn, Assistant Jon Presley, Principal Don D. Alkire, Athletic Director Don Lipps, and Superintendent Dr. Ron Furniss.

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 Bray.

House Concurrent Resolution 12

Representative Foley introduced House Concurrent Resolution 12:

A CONCURRENT RESOLUTION honoring the Martinsville High School Academic Spell Bowl Team.

Whereas, The Martinsville High School Academic Spell Bowl Team became the 2005 Class One Spell Bowl State Champion with

a perfect score of 90 points;

Whereas, The 2005 victory marks the 12th consecutive year that Martinsville spellers have won or been runner-up in the Class One division, which features between 60 and 70 state schools;

Whereas, This year's victory was Martinsville High School's sixth spell bowl state championship and the 17th state championship by an academic team competing in an event sponsored by the Indiana Association of School Principals, tying Bloomington High School South for the most Class One state championships since the beginning of competition in 1985;

Whereas, Coach Wayne Babbitt credits the team's success to its dedication and outstanding work ethic;

Whereas, This team began practice the first week of school in August and have continued every school day since that date;

Whereas, Excellence in academics 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 congratulates the Martinsville High School Spell Bowl Team on its victory and wishes the team continued success in future competitions.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to team members Courtney Abshire, Robert Astleford, Josh Blanford, Eric Campbell, Mileah Davis, Evan Kirsch, Clayton Knox, Andy Lane, Sarah Mosier, Amanda Schoolcraft, Megan Ward, Morgan Ward, and Phoebe Wood, and to Principal Don Alkire and Superintendent Ron D. Furniss.

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 Bray.

House Concurrent Resolution 13

Representative Noe introduced House Concurrent Resolution 13:

A CONCURRENT RESOLUTION honoring Zionsville Community High School.

Whereas, The Midwestern Regional Office of the College Board recognized Zionsville Community High School as the number one Indiana school based on students' success in college level advanced placement classes for schools with at least 250 in their senior class;

Whereas, This ranking is based on data relating to students' access to and success in advanced placement classes;

Whereas, Advanced placement classes offer high school students the opportunity to earn credit or advanced standing at most colleges and universities;

Whereas, Advanced placement classes help students gain the edge in college preparation, stand out in the college admissions process, and broaden their intellectual horizons;

Whereas, Zionsville Community High School offered 18 advanced placement classes during the 2005-2006 school year;

Whereas, The number of advanced placement classes at Zionsville Community High School will be raised to 22 during school year 2006-2007; and

Whereas, Through their excellent showing in the advanced placement classes, the students at Zionsville Community High School have demonstrated a strong desire to learn and a willingness to work hard: 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 commends Zionsville Community High School for its diligence and dedication to excellence and encourages the school's students to continue to strive for excellence throughout their lives.

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

Eggers, Principal of Zionsville Community High School, and Dr. Howard J. Hull, Superintendent of the Zionsville Community School Corporation.

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 Drozda.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1134

Representative Foley called down Engrossed House Bill 1134 for third reading:

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

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

Roll Call 9: yeas 93, nays 3. 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: Senator Landske, Kenley, and Bowser.

Engrossed House Bill 1040

Representative Foley called down Engrossed House Bill 1040 for third reading:

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

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

Roll Call 10: yeas 97, nays 1. 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 Kenley, Landske, and Bowser.

OTHER BUSINESS ON THE SPEAKER'S TABLE

COMMITTEE REPORT

Mr. Speaker: Your Committee, appointed to transmit to the Senate a resolution of this House to convene a joint convention of the two houses to receive the Governor's message, hereby reports that it has discharged the duty assigned to it and that the Senate has concurred in the House resolution and will meet the House in joint convention in the Chambers of the House of Representatives at 7:00 p.m. on January 11, 2006, for the purpose of receiving the Governor's message.

HOFFMAN
WHETSTONE

KLINKER
KROMKOWSKI

Report adopted.

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 Indiana Supreme Court and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly.

FRIEND

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Foley, Ulmer, Pierce, and VanHaften be appointed by the Speaker of the House of Representatives, to act with a like committee of the Senate, to wait upon the Chief Justice and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly on Thursday, January 12, 2006.

FRIEND

Motion prevailed; the Speaker appointed Representatives Foley,

Ulmer, Pierce, and VanHaaften to escort the Chief Justice.

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, 10, and 13 and the same are herewith returned to the House.

MARY C. MENDEL
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 Harrison, Merritt, L. Lutz, and Craycraft be appointed as a committee of four members of the Senate 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 Wednesday, January 11, 2006.

MARY C. MENDEL
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 Bray, Lubbers, Lanane, and Sipes be appointed as a committee of four members of the Senate to act with a like committee of the House of Representatives to wait upon the Chief Justice and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly on January 12, 2006.

MARY C. MENDEL
Principal Secretary of the Senate

HOUSE MOTION

Mr. Speaker: I move that Representative Hoy be added as coauthor of House Bill 1020.

AVERY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as coauthor of House Bill 1037.

HOFFMAN

Motion prevailed.

HOUSE MOTION

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

STILWELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Thomas be added as coauthor of House Bill 1040.

FOLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Walorski be added as coauthor of House Bill 1049.

BELL

Motion prevailed.

HOUSE MOTION

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

HOFFMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Tyler be added as coauthor of House Bill 1060.

L. LAWSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives GiaQuinta, Stilwell, Kromkowski, and Reske be added as coauthors of House Bill 1069.

AVERY

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

HOUSE MOTION

Mr. Speaker: I move that Representative Thomas be added as coauthor of House Bill 1114.

FOLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Walorski be added as coauthor of House Bill 1285.

HEIM

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Crouch, the House adjourned at 2:15 p.m., this tenth day of January, 2006, until Thursday, January 12, 2006, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives