



# Journal of the House

State of Indiana

116th General Assembly

First Regular Session

Twenty-ninth Meeting Day

Monday Afternoon

March 9, 2009

The invocation was offered by Pastor Scott Stephans, Dearborn Hills United Methodist Church, Lawrenceburg.

The Pledge of Allegiance to the Flag was led by Representative Robert J. Bischoff.

The House convened at 1:00 p.m. with Speaker B. Patrick Bauer in the Chair.

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

Austin	Kersey
Avery	Klinker
Bardon	Knollman
Barnes	Koch
Bartlett	L. Lawson
Battles	Lehe
Behning	Lehman
Bell	Leonard
Bischoff	Lutz
Blanton	McClain
Borders	Messmer
Borror	Michael
Bosma	Moseley
C. Brown	Moses
T. Brown	Murphy
Burton	Neese ☐
Candelaria Reardon	Niezgodski
Cheatham	Noe
Cherry	Oxley
Clements	Pearson
Clere	Pelath
Crawford	Pflum
Crouch	Pierce
Culver	Pond
Davis	Porter
Day	Pryor
DeLaney	Reske
Dembowski	Richardson
Dermody	Riecken
Dobis	Robertson
Dodge	Ruppel
Duncan	Saunders
Dvorak ☐	M. Smith
Eberhart ☐	V. Smith
Espich	Soliday
Foley	Stemler
Friend ☐	Steuerwald
Frizzell	Stevenson
Fry ☐	Stilwell
GiaQuinta	Sullivan
Goodin	Summers
Grubb	Thompson
Gutwein	Tincher
Harris	Torr
Herrell	Truitt
Hinkle	Turner

Tyler  
VanDenburgh  
VanHaaften  
Walorski

Welch  
Wolkins  
Yarde  
Mr. Speaker

Roll Call 327: 95 present; 5 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, March 10, 2009, at 1:00 p.m.

BARTLETT

The motion was adopted by a constitutional majority.

## MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 30 and 38 and the same are herewith returned to the House.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 39

Representatives Duncan and Bischoff introduced House Concurrent Resolution 39:

A CONCURRENT RESOLUTION honoring Ralph Emerson "Izzy" Newman.

*Whereas, Ralph Emerson "Izzy" Newman is truly a patriotic American;*

*Whereas, Izzy, the son of Ralph Everett Newman and Sarah Newman, served our country in uniform for 26 years in three wars and in three different branches of the armed services;*

*Whereas, Izzy was raised in a patriotic household;*

*Whereas, For half a century Izzy's mother, Sarah, never missed a Memorial Day service; and, when World War I began, she started clipping news stories about Decatur County veterans;*

*Whereas, Izzy first tried to join the Navy in 1943 when he was only 16 years old;*

*Whereas, The enlistment paperwork was done, but the recruits were unable to take the physical that day and were asked to return the next day; when Izzy's mother found out about the enlistment, she alerted the recruiting station;*

*Whereas, Izzy was told that he should come back the next year to enlist, and he did;*

*Whereas, After World War II, Izzy was discharged from the Navy, returned home, and enlisted in the Navy Reserves;*

*Whereas, A former Marine persuaded Izzy to secure a discharge from the Navy Reserves and enlist in the Marine Reserves;*

*Whereas, Shortly after doing so, Izzy was called up for duty in the Korean War and earned his sergeant stripes while serving in Korea;*

*Whereas, At the end of the Korean War, Izzy once again returned home and worked at the post office for a few years;*

*Whereas, It wasn't long before Izzy again began thinking about joining the military;*

*Whereas, He wanted to rejoin the Marine Corps, but that branch of the service refused to accept him because he had a child, so he joined the Army and spent the years until retirement in the Army;*

*Whereas, During his military career, Izzy received numerous medals, including two Bronze Stars for action in Vietnam; Meritorious Service; Good Conduct with seven knots; American Defense; American Campaign; Asiatic Pacific Campaign; World War II Victory; Army Occupation (Germany); National Defense Service with Oak Leaf Cluster; Korean Service; Armed Forces Expeditionary; Vietnam Service with 3 Battle Stars; Korean Defense Service; United Nations Korean Service; United Nations with 4 Battle Stars; Vietnamese Cross of Gallantry with Palm; Republic of Korea War Service; Marine Corps Presidential Unit Citation with Oak Leaf Cluster; Republic of Korea Presidential Unit Citation; Vietnam Presidential Unit Citation; Republic of Vietnam Campaign, and Valorous Unit Award (Army);*

*Whereas, Izzy finally retired from the Army at Fort Knox on Oct. 1, 1973, because "the military was changing and it seemed like a good idea"; and*

*Whereas, Ralph Emerson Newman bravely risked life and limb in three wars to ensure the sustainment of life, liberty, and happiness for all Americans, as well as countless citizens of countries around the world: Therefore,*

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

SECTION 1. That the Indiana General Assembly thanks Ralph Emerson "Izzy" Newman for his devout patriotism and dedication to his country and the 26 years of service he so willingly gave to defend our freedom. We wish him happiness and contentment in his retirement.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Ralph Emerson "Izzy" Emerson 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 Leising.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Engrossed Senate Bill 270, 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.

TINCHER, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Energy, Technology and Utilities, to which was referred Engrossed Senate Bill 423, 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.

MOSES, Chair

Report adopted.

## OTHER BUSINESS ON THE SPEAKER'S TABLE

### HOUSE MOTION

Mr. Speaker: I move that Representative C. Brown be removed as coauthor of House Bill 1295.

T. BROWN

Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that Representative Crawford be added as coauthor of Engrossed House Bill 1723.

GOODIN

Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that Representative Crawford be added as coauthor of Engrossed House Bill 1728.

PELATH

Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that Representative Riecken be added as coauthor of House Concurrent Resolution 30.

C. BROWN

Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that Representative Barnes be added as cosponsor of Engrossed Senate Bill 14.

BATTLES

Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that Representative Steuerwald be added as cosponsor of Engrossed Senate Bill 88.

L. LAWSON

Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that Representative Tyler be added as cosponsor of Engrossed Senate Bill 160.

DE LANEY

Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that Representative Robertson be added as cosponsor of Engrossed Senate Bill 232.

STILWELL

Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as cosponsor of Engrossed Senate Bill 278.

DEMBOWSKI

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative VanDenburgh be removed as sponsor, Representative L. Lawson be substituted as sponsor, and Representative VanDenburgh be added as cosponsor of Engrossed Senate Bill 292.

VAN DENBURGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bosma be added as cosponsor of Engrossed Senate Bill 335.

KERSEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative VanHaaften be added as cosponsor of Engrossed Senate Bill 341.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Welch be removed as sponsor, Representative Barnes be substituted as sponsor, and Representative Welch be added as cosponsor of Engrossed Senate Bill 440.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Torr be added as cosponsor of Engrossed Senate Bill 452.

BATTLES

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Oxley and Riecken be added as cosponsors of Engrossed Senate Bill 525.

PORTER

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Duncan, the House adjourned at 1:55 p.m., this ninth day of March, 2009, until Tuesday, March 10, 2009, at 1:00 p.m.

B. PATRICK BAUER

Speaker of the House of Representatives

CLINTON McKAY

Principal Clerk of the House of Representatives