



Journal of the House

State of Indiana

116th General Assembly

First Regular Session

Forty-sixth Meeting Day

Wednesday Morning

April 15, 2009

The invocation was offered by Dr. David Markle, Park Place Church, Anderson.

The Pledge of Allegiance to the Flag was led by Representative Terri Jo Austin.

The House convened at 10:00 a.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 444: 100 present. The Speaker announced a quorum in attendance.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, April 20, 2009, at 10:00 a.m.

TINCHER

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 Engrossed House Bills 1001, 1014, 1028, 1033, 1036, 1048, 1058, 1090, 1094, 1096, 1123, 1132, 1133, 1135, 1167, 1224, 1246, 1271, and 1309 with amendments and the same are herewith returned to the House for concurrence.

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 passed, without amendments, Engrossed House Bill 1194 and the same is 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 passed House Concurrent Resolution 17 and the same is herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1001 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

CRAWFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1040 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

VAN HAAFTEN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1064 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

AVERY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1081 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

DAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1097 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

BARNES

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1130 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

BARNES

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1208 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

C. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1210 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

C. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1230 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

HINKLE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1300 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1339 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1358 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1372 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

BLANTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1428 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

TINCHER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1514 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

GIA QUINTA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1561 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

VAN HAAFTEN

Motion prevailed.

RESOLUTIONS ON FIRST READING**House Concurrent Resolution 80**

Representatives Davis and Reske introduced House Concurrent Resolution 80:

A CONCURRENT RESOLUTION memorializing Lance Corporal Andrew F. Whitacre.

Whereas, U. S. Marine Lance Corporal Andrew F. Whitacre, assigned to the 2nd Battalion, 7th Marine Regiment, 1st Marine Division, 1st Marine Expeditionary Force died June 19, 2008, while conducting combat operations in Farah Province in Afghanistan, making him the 19th member of the armed services from Indiana to die in Afghanistan or Pakistan since U.S. anti-terrorism operations began there in late 2001;

Whereas, Twenty-one year-old Lance Corporal Whitacre, a 2005 graduate of Jay County High School, was from the town of Bryant and enlisted in the Marines shortly after graduation;

Whereas, Lance Corporal Whitacre wanted to be a Marine since the age of 14;

Whereas, The family and friends of Lance Corporal Whitacre can take comfort in the knowledge that he believed in what he was doing and that he is truly an American hero;

Whereas, Lance Corporal Whitacre's passion for helping others was evident in his desire to serve his country; and

Whereas, The people of the State of Indiana join with the family, friends, and fellow servicemen and servicewomen of Lance Corporal Whitacre and extend to his family sincere and heartfelt sympathy in this time of loss: 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 pays tribute to an outstanding American who gave his life in defense of freedom. The General Assembly extends its deepest sympathy to his family.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the family of U.S. Marine Lance Corporal Andrew F. Whitacre.

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 Paul.

House Concurrent Resolution 81

Representatives Burton, Sullivan, Barnes, and Frizzell introduced House Concurrent Resolution 81:

A CONCURRENT RESOLUTION honoring Hannah Fuller.

Whereas, Swim team practice was much different for 15-year-old Greenwood High School freshman Hannah Fuller and her coach Chas Grimm on Wednesday, January 14, 2009;

Whereas, Coach Grimm issued a challenge to the team that any team member who could beat him swimming underwater could get out of practice early;

Whereas, Three laps into his swim, in water about seven feet deep, Hannah realized something was wrong;

Whereas, Hannah noticed that Coach Grimm's face was blue and dark;

Whereas, Hannah did what her coach trained her to do; she got underneath him, put one of her arms on his shoulder, and made sure his head was up;

Whereas, While Hannah was the first one to enter the water, she quickly stated that the rescue was a team effort with an assistant coach and a lifeguard pulling the coach out of the water and resuscitating him;

Whereas, Hannah was recognized for heroism and humility by the Greenwood Christian Church, where she is a teen volunteer in the "HeavenBound" children's ministry, and by the "Indiana Heroes", the Pacers Sports and Entertainment community outreach program; and

Whereas, Actions like those performed by Hannah Fuller deserve special recognition: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes

the heroic actions of Hannah Fuller. It was her quick thinking and actions that helped save the life of Coach Chas Grimm.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Hannah Fuller, her family, and Chas Grimm.

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 sponsors: Senators Miller and Waltz.

House Concurrent Resolution 82

Representatives Riecken, Crouch, Sullivan, Avery, VanHaften introduced House Concurrent Resolution 82:

A CONCURRENT RESOLUTION honoring the Signature School.

Whereas, The Siemens Awards are given annually to students, teachers, and high schools in each state for excellence in advanced placement math and science;

Whereas, One high school per state is selected in recognition of its commitment to students and leadership in advanced placement participation and performance;

Whereas, In 2009, Signature School, located in Evansville, was recognized with the Advanced Placement Award;

Whereas, The Signature School was established in 1992, offering a half-day program in English, foreign language, math, and science;

Whereas, The Signature School opened as Indiana's first charter high school in the 2002/2003 school year with an internationally based curriculum and four academic paths: fine and performing arts, science and math, liberal arts, and health career academy;

Whereas, Throughout the years, the Signature School has received numerous awards and recognitions, including being listed as 68th on U.S. News & World Report's List of America's Best High Schools in 2008, being ranked 99th in Newsweek's annual list of The Top 100 Public High Schools in the U.S. in 2008, and being named the 2007 National Charter School of the Year by the Center for Education Reform; and

Whereas, The Signature School continues to offer new and innovative programs to help students prepare for the future: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the accomplishments of the Signature School and thanks the administration and the teachers for their dedicated service to the citizens of their community and their state.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to executive director/principal Vicki Snyder.

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 Becker.

House Concurrent Resolution 83

Representative Grubb introduced House Concurrent Resolution 83:

A CONCURRENT RESOLUTION to make March 30 Welcome Home Vietnam Veterans Day.

Whereas, The Vietnam War was fought in Vietnam from 1961 to 1975 and involved North Vietnam and the Viet Cong in conflict with the United States Armed Forces and South

Vietnam;

Whereas, The United States became involved in Vietnam because policymakers in the United States believed that if South Vietnam fell to a communist government, communism would spread throughout the rest of Southeast Asia;

Whereas, Members of the United States Armed Forces began serving in an advisory role to the South Vietnamese in 1961;

Whereas, As a result of the Gulf of Tonkin incidents on August 2 and 4, 1964, Congress overwhelmingly passed the Gulf of Tonkin Resolution (Public Law 88-408), on August 7, 1964, effectively handing over war-making powers to President Johnson until such time as "peace and security" had returned to Vietnam;

Whereas, In 1965, United States Armed Forces ground combat units arrived in Vietnam;

Whereas, By the end of 1965, there were 80,000 United States troops in Vietnam, reaching a peak of approximately 543,000 troops by 1969;

Whereas, On January 27, 1973, the Treaty of Paris was signed, requiring the release of all United States prisoners of war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam;

Whereas, On March 30, 1973, the withdrawal of the United States Armed Forces combat troops from Vietnam was completed;

Whereas, More than 58,000 members of the United States Armed Forces lost their lives in Vietnam, and more than 300,000 were wounded;

Whereas, In 1982, the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate those members of the United States Armed Forces who died or were declared missing in action in Vietnam;

Whereas, The Vietnam War was an extremely divisive issue among the people of the United States;

Whereas, Members of the United States Armed Forces, who served bravely and faithfully for the United States during the Vietnam War, were caught upon their return home in the crossfire of public debate about the involvement of the United States in the Vietnam War;

Whereas, The establishment of a Welcome Home Vietnam Veterans Day would be an appropriate way to honor those members of the United States Armed Forces who served in Vietnam during the Vietnam War; and

Whereas, March 30 would be an appropriate day to establish as Welcome Home Vietnam Veterans Day: 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 honors and recognizes the contributions of veterans of the Armed Forces who served in Vietnam and encourages the residents of Indiana to observe Welcome Home Vietnam Veterans Day, March 30, with appropriate ceremonies and activities that promote awareness of the contributions of veterans who served in Vietnam and the importance of helping Vietnam era veterans readjust to civilian life.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Welcome Home Veterans Day, Inc., the State of Indiana Veterans of Foreign Wars, and the National Headquarters of the American Legion.

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 Boots.

House Concurrent Resolution 84

Representative Crawford introduced House Concurrent Resolution 84:

A CONCURRENT RESOLUTION urging the Indiana Congressional delegation to work toward reform of the Howard M. Metzenbaum Multiethnic Placement Act of 1994 (MEPA).

Whereas, The Multiethnic Placement Act was originally created to address the desire "to promote the best interests of children by ensuring that they have permanent, safe, stable, and loving homes that will meet their individual needs";

Whereas, The placement of children in permanent, safe, stable, and loving homes becomes more difficult as the number of children entering the child protective system increases;

Whereas, The Commission on Disproportionality in Youth Services was established "to develop and provide an implementation plan to evaluate and address disproportionate representation of youth of color in Indiana's child welfare, education, juvenile justice, and mental health service systems";

Whereas, The Commission discovered that children of color are both overrepresented and underrepresented in Indiana's child welfare, education, juvenile justice, and mental health systems;

Whereas, The disproportionate representation of these children occurs despite the fact that there are no inherent differences in the rates at which they are abused or neglected, according to the National Incidence Study of Child Abuse and Neglect;

Whereas, According to the United States Department of Health and Human Services report of September 2006, approximately 58% of the 513,000 children living in foster care placements were children of color although children of color represented only 42% of the child population in the United States;

Whereas, African American children are overrepresented in the child welfare system in every state and are less likely than children of other races to be reunited with their families; and

Whereas, Research on the disproportionate number of children of color in the child welfare system suggests that we should focus on key decision points such as investigations, substantiations, and placements to understand how experiences of children vary by race and ethnicity: Therefore,

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

SECTION 1. That the Indiana General Assembly urges the Indiana Congressional delegation to work toward reform of the Howard M. Metzenbaum Multiethnic Placement Act of 1994 (MEPA).

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Indiana's Congressional delegation.

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 Randolph.

House Resolution 65

Representatives Duncan and Bischoff introduced House Resolution 65:

A HOUSE RESOLUTION honoring Dr. Ricardo Domingo on the occasion of his 80th birthday.

Whereas, Dr. Ricardo Domingo was born on April 30, 1929;

Whereas, Dr. Domingo is currently practicing as a rheumatologist at Medical Multi Specialty Clinic in Greensburg;

Whereas, Dr. Domingo has dedicated his life to helping improve the lives of the residents of southeastern Indiana;

Whereas, Dr. Domingo touched the lives of many people, bringing good health and the hope of a better life with him;

Whereas, Hippocrates said that "medicine is of all the arts the most noble," and Dr. Domingo is an excellent example of the type of doctor that makes the profession so noble; and

Whereas, It is a joy to note the 80th birthday of a man whose life has had such a positive influence on his community, his state, and his country: Therefore,

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

SECTION 1. That the Indiana House of Representatives wishes Dr. Ricardo Domingo a happy 80th birthday and thanks him for his many hours of dedicated service to the citizens of his community.

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

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

House Resolution 66

Representative Bischoff introduced House Resolution 66:

A HOUSE RESOLUTION to honor Robert L. Crandell.

Whereas, Many Indiana towns rely on the commitment from volunteer firefighters to maintain the safety of their communities;

Whereas, Volunteer firefighters service their communities for little, to no compensation;

Whereas, Robert L. Crandell has been a member of the Moorefield Volunteer Fire Department for 75 years, since its creation in 1934;

Whereas, Robert L. Crandell was 8 years old when he joined his father in service to the fire department as a "bucket boy;" and

Whereas, Robert L. Crandell has served the department in many capacities, including Director and Chief: Therefore,

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

SECTION 1. That the Indiana House of Representatives honor Robert L. Crandell on his community service.

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

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

House Resolution 67

Representative Bischoff introduced House Resolution 67:

A HOUSE RESOLUTION to honor Tom Scott.

Whereas, Many Indiana towns rely on the commitment from volunteer firefighters to maintain the safety of their communities;

Whereas, Volunteer firefighters service their communities for little, to no compensation;

Whereas, Tom Scott has been a member of the Moorefield Volunteer Fire Department for 45 years; and

Whereas, Tom Scott has served in a number of capacities, including, Director, Secretary, Assistant Fire Chief and on the Board of Directors: Therefore,

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

SECTION 1. That the Indiana House of Representatives honor Tom Scott for his service with the Moorefield Fire Department.

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

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

House Resolution 68

Representative Bischoff introduced House Resolution 68:

A HOUSE RESOLUTION to honor the Moorefield Fire Department on the occasion of its 75th Anniversary.

Whereas, Many Indiana residents rely on the commitment from their local Volunteer Fire Department to maintain the safety of their communities;

Whereas, Volunteer firefighters serve their communities for little, to no compensation;

Whereas, The Moorefield Fire Department was created in 1934 through local donations, and arising out of the necessity to preserve local structures;

Whereas, The Moorefield Fire Department relies on contributions from the community and has continued to thrive and grow since its inception; and

Whereas, The Moorefield Fire Department celebrates its 75th Anniversary this year: Therefore,

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

SECTION 1. That the Indiana House of Representatives honor the Moorefield Fire Department on the occasion of its 75th Anniversary.

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

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

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 1:00 p.m. with the Speaker in the Chair.

On request of Representative Bosma, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 445: 67 present. The Speaker declared a quorum present.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 536

Representative Niezgodski called down Engrossed Senate Bill 536 for third reading:

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

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

Roll Call 446: yeas 91, 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.

Engrossed Senate Bill 525

Representative Porter called down Engrossed Senate Bill 525 for third reading:

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

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

Roll Call 447: yeas 47, nays 48. The bill failed.

Engrossed Senate Bill 501

Representative L. Lawson called down Engrossed Senate Bill 501 for third reading:

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

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

Roll Call 448: yeas 83, nays 11. 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.

Engrossed Senate Bill 492

Representative Bardon called down Engrossed Senate Bill 492 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation, property, and courts and court officers.

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

Roll Call 449: yeas 56, nays 44. 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.

Engrossed Senate Bill 530

Representative Dvorak called down Engrossed Senate Bill 530 for third reading:

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

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

Roll Call 450: yeas 100, 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.

Engrossed Senate Bill 461

Representative Dvorak called down Engrossed Senate Bill 461 for third reading:

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

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

Roll Call 451: yeas 96, 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.

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

Engrossed Senate Bill 16

Representative Welch called down Engrossed Senate Bill 16 for third reading:

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

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

Roll Call 452: yeas 93, nays 6. 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.

Engrossed Senate Bill 164

Representative Austin called down Engrossed Senate Bill 164 for third reading:

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

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

Roll Call 453: yeas 95, 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.

Engrossed Senate Bill 440

Representative Barnes called down Engrossed Senate Bill 440 for third reading:

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

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

Roll Call 454: 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.

Engrossed Senate Bill 420

Representative Grubb called down Engrossed Senate Bill 420 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state energy policy.

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

Roll Call 455: 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.

Engrossed Senate Bill 414

Representative VanHaaften called down Engrossed Senate Bill 414 for third reading:

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

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

Roll Call 456: yeas 98, 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.

Engrossed Senate Bill 209

Representative Battles called down Engrossed Senate Bill 209 for third reading:

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

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

Roll Call 457: yeas 54, nays 46. 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.

Engrossed Senate Bill 374

Representative Fry called down Engrossed Senate Bill 374 for third reading:

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

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

Roll Call 458: yeas 54, nays 45. 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.

Engrossed Senate Bill 303

Representative L. Lawson called down Engrossed Senate Bill 303 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

Roll Call 459: yeas 96, 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.

The Speaker Pro Tempore yielded the gavel to the Speaker.

Engrossed Senate Bill 300

Representative Moses called down Engrossed Senate Bill 300 for third reading:

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

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

Roll Call 460: yeas 62, nays 37. 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.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

- EHB 1001 Conferees: Crawford and Espich
Advisors: Pelath, Goodin, Avery, Klinker
Thompson, Turner, Borrer, and Pond
- EHB 1040 Conferees: VanHaaften and Foley
Advisors: DeLaney and Steuerwald

- EHB 1064 Conferees: Avery and Duncan
Advisors: Dembowski and Soliday
- EHB 1081 Conferees: Day and Bell
Advisors: DeLaney, Pryor, Michael, Turner,
and Foley
- EHB 1097 Conferees: Barnes and Wolkins
Advisors: VanDenburgh, Dembowski,
Dvorak, Neese, and Eberhart
- EHB 1208 Conferees: C. Brown and Turner
Advisors: VanHaaften and T. Brown
- EHB 1210 Conferees: C. Brown and Lehe
Advisors: VanHaaften and Dodge
- EHB 1230 Conferees: Moses and Hinkle
Advisors: Dembowski, Michael,
and Steuerwald
- EHB 1300 Conferees: Welch and Lehman
Advisors: C. Brown and T. Brown
- EHB 1339 Conferees: Welch and Soliday
Advisors: L. Lawson, Austin, and Lehman
- EHB 1358 Conferees: Crawford and Frizzell
Advisors: Sullivan, Michael, Ruppel,
and Neese
- EHB 1372 Conferees: Blanton and Murphy
Advisors: Robertson and Clere
- EHB 1428 Conferees: Tincher and Ruppel
Advisors: Barnes, Avery, Soliday, and Duncan
- EHB 1514 Conferees: GiaQuinta and Eberhart
Advisors: VanHaaften, Michael, and Cherry
- EHB 1561 Conferees: VanHaaften and Lutz
Advisors: Moses and Murphy

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

- ESB 14 Conferees: Battles and M. Smith
Advisors: Barnes and Richardson
- ESB 126 Conferees: Porter and Behning
Advisors: Robertson, Thompson, and Bell
- ESB 136 Conferees: Battles and Dermody
Advisors: Pelath and Messmer
- ESB 181 Conferees: Pierce and Koch
Advisors: Battles, Bischoff, Porter,
and Clements
- ESB 219 Conferees: C. Brown and Frizzell
Advisors: Porter, Moseley, Noe, and T. Brown
- ESB 244 Conferees: Pierce and Dermody
Advisors: L. Lawson and Culver
- ESB 254 Conferees: Battles and Richardson
Advisors: Day, Truitt, and M. Smith
- ESB 270 Conferees: Tincher and Ruppel
Advisors: Tyler, GiaQuinta, and Dermody
- ESB 306 Conferees: C. Brown and T. Brown
Advisors: Moseley and Lehe
- ESB 345 Conferees: L. Lawson and Crouch
Advisors: Pryor and Truitt
- ESB 365 Conferees: Avery and Bell
Advisors: L. Lawson and Crouch
- ESB 388 Conferees: Pelath and Borrer
Advisors: Crawford and Davis
- ESB 469 Conferees: Grubb and T. Brown
Advisors: VanHaaften, Tyler, and Torr

ENROLLED ACTS SIGNED

The Speaker announced that he had signed Senate Enrolled Acts 344, 438, and 554 on April 15.

RESOLUTIONS ON FIRST READING**House Concurrent Resolution 85**

Representatives Klinker, Truitt, and T. Brown introduced House Concurrent Resolution 85:

A CONCURRENT RESOLUTION memorializing Doug Eberle.

Whereas, Lafayette civic leader Doug Eberle died April 3, 2009, after a lifeguard pulled him from the Gulf of Mexico after being caught in a rip current off Seagrove Beach, Florida;

Whereas, Doug Eberle and two other adults entered the water when they saw some children struggling; the children made it to shore safely, but the three adults had to be pulled from the water;

Whereas, At the time of his death, Doug Eberle, 51, was serving as the executive director of the Lafayette Community Foundation, a position he held since 2007;

Whereas, Doug Eberle also served as chief executive officer of Greater Lafayette Health Services;

Whereas, Born on October 29, 1957, in Lafayette, Doug Eberle graduated from Central Catholic High School, earned a bachelor of science degree in industrial management with a minor in industrial engineering from Purdue University, and graduated with a master of science degree in industrial administration from Krannert Graduate School of Management;

Whereas, Doug Eberle married Katy Bogan on September 13, 1980, and had four children, Mary Claire, Bernard Douglas, Peter Jackson, and Caroline Marie Eberle; and

Whereas, Doug Eberle acted heroically in his attempt to save the lives of innocent children and because of this brave act, his own life was lost: 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 General Assembly wishes to express its sorrow to the family of Doug Eberle and to recognize his strength and courage. Doug Eberle was a Hoosier hero who died while trying to save others. He will be greatly missed.

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

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 Altling.

House Resolution 69

Representative Moseley introduced House Resolution 69:

A HOUSE RESOLUTION honoring Justin Ruiz.

Whereas, Portage High School's "The Outstanding Young Man" program recognizes, rewards, and encourages excellence among young men by focusing on their accomplishments;

Whereas, Participants in the competition are involved in many different activities, including athletics, theater, honor society, and student council;

Whereas, Justin Ruiz is the 2009 Outstanding Young Man winner;

Whereas, Twenty-six seniors participated in the program and were judged in academics, a casual segment, presentation and address, a judges' conference, and physical fitness;

Whereas, Justin Ruiz's brother Eric won the event in 2006, making them the only brothers to win the Outstanding Young Man award;

Whereas, Justin, who ranks in the top ten of his class and carries a 4.185 grade point average, has received numerous awards and recognitions throughout his high school career;

Whereas, Justin is also active in his community, having given more than 170 hours in community service activities and participated in the Walk for the Homeless and Dancers Against Cancer;

Whereas, Justin plans to study theoretical physics at either Rose-Hulman or Purdue next year; and

Whereas, Justin's outstanding accomplishments such as these deserve special recognition: Therefore,

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

SECTION 1. That the Indiana House of Representatives recognizes the accomplishments of Justin Ruiz and wishes him continued success in all his future endeavors.

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

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

House Resolution 70

Representative Moseley introduced House Resolution 70:

A RESOLUTION honoring Whitney Johnson.

Whereas, Portage High School senior Whitney Johnson is the 2009 Indiana Junior Miss;

Whereas, As Indiana Junior Miss, Whitney Johnson will compete in the 52nd Annual America's Junior Miss National Finals, June 25-27, in Mobile, Alabama;

Whereas, Five judges selected Whitney as Indiana's Junior Miss from among the 23 winners of the local programs held throughout Indiana;

Whereas, Whitney is the daughter of John and Susan Kelly-Johnson, and her career goal is to become a chemical engineer/costume designer;

Whereas, Active in school organizations, Whitney is a member of the National Honor Society 2008-2009, Foreign Language Honor Society, and Recycling Club, president of the Thespian Organization, and a volunteer photographer for her school and community; and

Whereas, Whitney Johnson is an outstanding representative for the Hoosier state, and her accomplishments deserve special recognition: Therefore,

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

SECTION 1. That the Indiana House of Representatives congratulates Whitney Johnson on being named Indiana's Junior Miss.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Whitney Johnson and her family.

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

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 7:45 p.m. with the Speaker in the Chair.

Representatives Duncan and Walorski were excused for the rest of the day.

The Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 461: 91 present. The Speaker declared a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1071, 1162, 1278, 1286, 1311, 1344, 1345, 1346, 1363, 1374, 1382, 1398, 1447, 1471, 1483, 1491, 1498, 1546, 1554, 1572, 1573, 1581, 1589, 1593, 1598, 1604, 1607, 1612, 1627, 1634, 1637, 1669, 1681, and 1701 with amendments and the same are herewith returned to the House for concurrence.

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 passed, without amendments, Engrossed House Bills 1326, 1494, 1547, and 1650 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 accepted and approved the Joint Rule 20 correction on Engrossed Senate Bill 478.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE PRESIDENT OF THE SENATE

Mr. Speaker and Members of the House: I have on the 15th day of April, 2009, signed House Enrolled Acts 1012, 1089, 1107, 1116, 1203, 1204, 1381, 1432, 1434, 1473, 1524, 1592, and 1625.

REBECCA S. SKILLMAN
President of the Senate

**ENGROSSED SENATE BILLS
ON THIRD READING**

Engrossed Senate Bill 285

Representative Pearson called down Engrossed Senate Bill 285 for third reading:

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

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

Roll Call 462: yeas 95, 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.

Engrossed Senate Bill 280

Representative L. Lawson called down Engrossed Senate Bill 280 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

Roll Call 463: yeas 95, 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.

Engrossed Senate Bill 391

Representative Austin called down Engrossed Senate Bill 391 for third reading:

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

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

Roll Call 464: yeas 94, 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.

Engrossed Senate Bill 223

Representative Tincher called down Engrossed Senate Bill 223 for third reading:

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

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

Roll Call 465: yeas 55, nays 42. 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.

Engrossed Senate Bill 96

Representative C. Brown called down Engrossed Senate Bill 96 for third reading:

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

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

Roll Call 466: yeas 81, nays 15. 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.

Engrossed Senate Bill 84

Representative Niezgodski called down Engrossed Senate Bill 84 for third reading:

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

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

Roll Call 467: yeas 52, nays 42. 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.

Engrossed Senate Bill 191

Representative Porter called down Engrossed Senate Bill 191 for third reading:

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

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

Roll Call 468: yeas 77, nays 17. 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.

Engrossed Senate Bill 89

Representative Cheatham called down Engrossed Senate Bill 89 for third reading:

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

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

Roll Call 469: yeas 73, nays 20. 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.

Engrossed Senate Bill 249

Representative Austin called down Engrossed Senate Bill 249 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicle fuel tax, transportation, motor vehicles, and tort claims.

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

Roll Call 470: yeas 92, 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.

Engrossed Senate Bill 34

Representative Pierce called down Engrossed Senate Bill 34 for third reading:

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

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

Roll Call 471: yeas 93, 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.

Engrossed Senate Bill 218

Representative C. Brown called down Engrossed Senate Bill 218 for third reading:

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

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

Roll Call 472: yeas 55, nays 40. 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.

Engrossed Senate Bill 448

Representative Austin called down Engrossed Senate Bill 448 for third reading:

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

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

Roll Call 473: yeas 51, nays 43. 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.

Engrossed Senate Bill 450

Representative GiaQuinta called down Engrossed Senate Bill 450 for third reading:

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

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

Roll Call 474: yeas 94, 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.

On the motion of Representative Dobis, the House adjourned at 10:15 p.m., this fifteenth day of April, 2009, until Monday, April 20, 2009, at 10:00 a.m.

B. PATRICK BAUER
Speaker of the House of Representatives

CLINTON McKAY
Principal Clerk of the House of Representatives