



Journal of the House

State of Indiana

111th General Assembly

First Regular Session

Ninth Meeting Day

Wednesday Afternoon

January 20, 1999

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

The invocation was offered by the Reverend Benjamin Santiago, Chaplain of the Madison County Sheriff's Department, Anderson, the guest of Representative Scott Mellinger.

The Pledge of Allegiance to the Flag was led by Representative Mellinger.

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

T. Adams	Kromkowski
Alderman	Kruse
Atterholt	Kruzan
Avery	Kuzman
Ayres	Lawson
Bailey	Leuck
Bardon	Liggett
Bauer	Linder
Becker	J. Lutz
Behning	Lytle
Bischoff	Mahern
Bodiker	Mangus
Bosma	Mannweiler
Bottorff	McClain
C. Brown	Mellinger
T. Brown	Mock
Buck	Moses
Budak	Munson
Buell	Murphy
Burton	Oxley
Cheney	Pelath
Cherry	Pond
Cochran	Porter
Cook	Richardson
Crawford	Ripley
Crooks	Robertson
Crosby	Ruppel
Day	Saunders
Denbo	Scholer
Dickinson	M. Smith
Dillon	V. Smith ▲
Dobis	Steele
Duncan	Stevenson
Dvorak	Stilwell
Espich	Sturtz
Fesko	Summers
Foley	Thompson
Frenz	Tincher
Friend	Torr
Frizzell	Turner
Fry	Ulmer
GiaQuinta	Villalpando
Goeglein	Weinzapfel
Grubb	Welch
Harris	Whetstone
Hasler	Wolkins
Herrell	D. Young
Hoffman	M. Young
Kersey	Yount
Klinker	Mr. Speaker

Roll Call 10: 99; 1 excused present. The Speaker announced a quorum in attendance. [NOTE: ▲ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that we dispense with the reading of the Journal.

GRUBB

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 21, 1999, at 10:00 a.m.

C. BROWN

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolution 8 and the same is herewith returned to the House.

CAROLYN J. TINKLE
Secretary of the Senate

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1208, 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 12, nays 0.

KUZMAN, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 9

Representatives Kruzan and Mannweiler introduced House Concurrent Resolution 9:

A CONCURRENT RESOLUTION to allow the House of Representatives and the Senate of the 111th Indiana General Assembly to adjourn and recess separately throughout the First Regular Session for periods in excess of three (3) consecutive days as the need, in the judgment of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, respectively, may arise.

Whereas, The Indiana House of Representatives and the Senate begun to meet for the purpose of conducting the public business of the people of the State of Indiana;

Whereas, The House of Representatives and the Senate operate on their own respective schedules, having been separated from each other pursuant to IC Sec. 2-2.1-1-2(c)(2);

Whereas, During the consideration of legislative business, each House may, in the respective judgment of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, deem it necessary to adjourn and recess for periods in excess of three (3) consecutive days and to operate on a schedule different from the other House;

Whereas, Article 4, Section 10 of the Constitution of the State of Indiana states that neither House shall, without consent of the other, adjourn for more than three (3) consecutive days;

Whereas, Each House desires to consent to any adjournment or recess by the other House which might last more than three (3) days during the First Regular Session of the 111th Indiana General Assembly: 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 Senate of the 111th Indiana General Assembly hereby consents to any adjournment or recess of the House of Representatives during the First Regular Session of the 111th Indiana General Assembly for a period in excess of three (3) days, where, such recess or adjournment is approved by the Speaker of the House of Representatives.

SECTION 2. That the House of Representatives of the 111th Indiana General Assembly hereby consents to any adjournment or recess of the Senate during the First Regular Session of the 111th Indiana General Assembly for a period in excess of three (3) days, where, such recess or adjournment is approved by the President Pro Tempore of the Senate.

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 Garton and R. Young.

House Concurrent Resolution 10

Representative Grubb introduced House Concurrent Resolution 10:

A CONCURRENT RESOLUTION declaring the month of January, 1999 National Eye Care Month.

Whereas, The Indiana Academy of Ophthalmology recommends a complete medical eye examination for healthy adults at least once between the teenage years and age 40; and

Whereas, Toddlers need to be examined for nearsightedness, crossed eyes, "lazy eye" and other conditions before they start school;

Whereas, Seniors should be examined for cataracts and macular degeneration;

Whereas, African Americans over the age of 20 should be tested every four years for glaucoma and every two years over the age of 40;

Whereas, Proper instruction and monitoring of contact lens use can significantly reduce the risk of corneal scarring and visual impairment;

Whereas, Proper nutrition can help prevent eye disease caused by diabetes, and possibly protect against cataracts and macular degeneration;

Whereas, Protective eyewear can prevent eye injuries while playing sports and working at home; and

Whereas, Most blindness is preventable if diagnosed and treated early by an ophthalmologist: 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 declares the month of January, 1999 National Eye Care Month.

SECTION 2. That the principal clerk of the house of representatives transmit a copy of this resolution to the Indiana Academy of Ophthalmology, Inc.

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 Wyss.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1025

Representative Ayres called down Engrossed House Bill 1025 for third reading:

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

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

Roll Call 11: yeas 89, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Skillman, Merritt, and Wolf.

Engrossed House Bill 1065

Representative Mahern called down Engrossed House Bill 1065 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 12: yeas 92, 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: Senators Sipes and C. Lawson.

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative Crosby.

Engrossed House Bill 1144

Speaker Gregg called down Engrossed House Bill 1144 for third reading:

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

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

Roll Call 13: yeas 86, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Bray.

The Deputy Speaker Pro Tempore yielded the gavel to the Speaker.

Engrossed House Bill 1148

Representative Villalpando called down Engrossed House Bill 1148 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning 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 14: yeas 96, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray and Alexa.

Engrossed House Bill 1169

Representative Ruppel called down Engrossed House Bill 1169 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representatives Ruppel, Oxley, and Espich were excused from voting.

Roll Call 15: yeas 93, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Clark, Landske, Craycraft, and Wolf.

Engrossed House Bill 1184

Representative Grubb called down Engrossed House Bill 1184 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 16: 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. Senate sponsors: Senators Harrison and Breaux.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1108, 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 9, after "coverage" strike "for" and insert "of".
 - Page 1, line 11, strike "However,".
 - Page 1, line 12, delete "the" and insert "The".
 - Page 1, line 12, strike "does not include" and insert "includes".
 - Page 3, line 9, strike "However,".
 - Page 3, line 9, delete "the" and insert "The".
 - Page 3, line 9, strike "does".
 - Page 3, line 10, strike "not include" and insert "includes".
 - Page 4, line 22, strike "However,".
 - Page 4, line 22, delete "the" and insert "The".
 - Page 4, line 22, strike "does not include" and insert "includes".
- (Reference is to HB 1108 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 2.

C. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1284, 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.

KUZMAN, Chair

Report adopted.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors to House Bill 1002 and that Representatives Bodiker, Torr, and Whetstone be added as coauthors.

KRUZAN

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 Alderman be added as coauthor of House Bill 1033.

STILWELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives J. Lutz and M. Young be added as coauthors of House Bill 1055.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors to House Bill 1065 and that Representatives T. Adams and Herrell be added as coauthors.

MAHERN

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 Foley be added as coauthor of House Bill 1144.

GREGG

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Kruse and Tincher be added as coauthors of House Bill 1162.

KERSEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dvorak be added as coauthor of House Bill 1166.

RUPPEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Scholer be added as coauthor of House Bill 1187.

MANGUS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Steele be added as coauthor of House Bill 1299.

KRUZAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Buell be added as coauthor of House Bill 1473.

BAILEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Leuck be added as coauthor of House Bill 1494.

DVORAK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frenz be added as coauthor of House Bill 1551.

FRIZZELL

Motion prevailed.

On the motion of Representative Bardon the House adjourned at 2:10 p.m., this twentieth day of January, 1999, until Thursday, January 21, 1999, at 10:00 a.m.

JOHN R. GREGG
Speaker of the House of Representatives

LEE SMITH
Principal Clerk of the House of Representatives

