



Journal of the House

State of Indiana

111th General Assembly

Second Regular Session

Fifth Meeting Day

Tuesday Morning

November 23, 1999

The House convened at 10:00 a.m. with the Speaker in the Chair.

The invocation was offered by Representative Peggy Welch.

The Pledge of Allegiance to the Flag was led by Representative Lawrence L. Buell.

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 •
Dumezich	Stevenson
Duncan	Stilwell
Dvorak	Sturtz
Espich	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 11: 96 present; 4 excused. 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.

CROOKS

Motion prevailed.

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 1003 and 1004 and the same are herewith returned to the House.

CAROLYN J. TINKLE
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 2 and the same is herewith returned to the House.

CAROLYN J. TINKLE
Secretary of the Senate

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 9

Representative Bauer called down Engrossed Senate Bill 9 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 12: 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.

Engrossed Senate Bill 33

Representative Fry called down Engrossed Senate Bill 33 for third reading:

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

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 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.

Engrossed Senate Bill 14

Representative Leuck called down Engrossed Senate Bill 14 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 14: 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.

Engrossed Senate Bill 8

Representative Bauer called down Engrossed Senate Bill 8 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 15: 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.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 4

Representatives Kruzan and Mannweiler introduced House Concurrent Resolution 4:

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 Second 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 met for the purpose of organization of each House and to conduct 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 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 Second Regular Session of the 111th Indiana General Assembly;

Whereas, The House of Representatives and the Senate intend to recess after November 23, 1999, and meet again on January 10, 2000, to conduct legislative business: Therefore,

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

SECTION 1. That each House of the 111th Indiana General Assembly hereby consents to any adjournment or recess of the other House during the Second Regular Session of the 111th Indiana General Assembly for a period in excess of three (3) days, where such recess or adjournment is approved, in the case of the House of Representatives, by the Speaker of the House of Representatives or, in the case of the Senate, 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 5

Representatives Kruzan and Mannweiler introduced House Concurrent Resolution 5:

A CONCURRENT RESOLUTION for the adjournment of the House of Representatives and the Senate of the Second Regular Session of the 111th Indiana General Assembly to January 10, 2000.

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

SECTION 1. That the House of Representatives and the Senate of the Indiana General Assembly, when they do adjourn in November of 1999, adjourn until January 10, 2000.

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.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 3:00 p.m. with the Speaker in the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Engrossed Senate Bills 9 and 33.

CAROLYN J. TINKLE
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 Resolutions 1, 3, 4, and 5 and the same are herewith returned to the House.

CAROLYN J. TINKLE
Secretary of the Senate

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, January 10, 2000, at 1:30 p.m.

LYTLE

Motion prevailed.

INTRODUCTION OF BILLS

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

HB 1005 — Welch, Bauer (Ways and Means)

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

HB 1006 — Bauer, Kuzman (Ways and Means)

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

HB 1007 — Withdrawn prior to first reading.

HB 1008 — Ayres, Stevenson, Leuck, Goeglein (Local Government)

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

HB 1009 — Bodiker, Burton (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations; consumer sales and credit.

HB 1010 — Bodiker, Burton (Financial Institutions)

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

- HB 1011** — Porter (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning bias crimes.
- HB 1012** — Porter (Education)
A BILL FOR AN ACT concerning education.
- HB 1013** — V. Smith, Crawford, Alderman (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.
- HB 1014** — V. Smith, Klinker, Becker (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1015** — Cook (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1016** — Cook (Education)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1017** — Duncan, Lytle, Grubb, Friend (Agriculture, Natural Resources and Rural Development)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1018** — Grubb, Mannweiler, Porter, Linder (Education)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1019** — Ulmer (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1020** — Ulmer (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.
- HB 1021** — Ulmer (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.
- HB 1022** — Cochran, Kromkowski (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.
- HB 1023** — Day, Foley (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning property.
- HB 1024** — Kromkowski, Richardson, Mahern, Behning (Elections and Apportionment)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- HB 1025** — Kromkowski (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.
- HB 1026** — Herrell (Roads and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- HB 1027** — Duncan, Summers (Commerce and Economic Development)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations; consumer sales and credit.
- HB 1028** — Steele (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- HB 1029** — Steele, Cherry, Grubb, Leuck (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1030** — Stevenson, Ayres, L. Lawson, Pelath (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- HB 1031** — Stevenson, Leuck, Alderman (Roads and Transportation)
A BILL FOR AN ACT concerning railroads.
- HB 1032** — Goeglein, Crosby, Becker, Scholer (Public Health)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- HB 1033** — Goeglein, Crosby, Becker, Scholer (Public Health)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- HB 1034** — Goeglein, Grubb, Scholer, GiaQuinta (Roads and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- HB 1035** — Villalpando, Dvorak, Dumezich (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.
- HB 1036** — Bodiker, Cherry, Porter, Ruppel (Education)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1037** — Sturtz (Commerce and Economic Development)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations; consumer sales and credit.
- HB 1038** — Sturtz (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.
- HB 1039** — Sturtz (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.
- HB 1040** — Stilwell (Education)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1041** — Stilwell (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1042** — Grubb (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- HB 1043** — Stilwell (Labor and Employment)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.
- HB 1044** — Ulmer (Education)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- HB 1045** — Hasler (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1046** — Hasler (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

- HB 1047** — Dobis, Kuzman, L. Lawson (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- HB 1048** — Dobis, Kuzman, L. Lawson (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning welfare funding.
- HB 1049** — Villalpando (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.
- HB 1050** — Liggett (Labor and Employment)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.
- HB 1051** — Thompson (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.
- HB 1052** — Crooks (Commerce and Economic Development)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

RESOLUTIONS ON FIRST READING

House Resolution 4

Representatives Becker, Hasler, Weinzapfel, and Avery introduced House Resolution 4:

A HOUSE RESOLUTION honoring Thomas Hamilton for being chosen Indiana Chiropractor of the Year.

Whereas, Thomas Hamilton was chosen by his peers as the Indiana Chiropractor of the Year, a distinct honor to be chosen by those who truly know and appreciate his work;

Whereas, Thomas is board-certified in chiropractic neurology;

Whereas, Thomas has dedicated his life to helping others, practicing as a chiropractor for more than thirty-five years;

Whereas, Thomas has been a leader in his profession, setting the example of commitment for others to emulate;

Whereas, Thomas devoted seven years of his life to serve as president of the Indiana Board of Chiropractic Examiners;

Whereas, Thomas was honored as Chiropractor of the Year at the state convention of the Indiana State Chiropractic Association, a fitting tribute for the man chosen by his peers as the best in their profession; and

Whereas, Thomas Hamilton—by his dedication and commitment to his profession, patients, and community—has set a high standard of professionalism that serves as an inspiration to others: 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 honors and commends Thomas Hamilton for his dedication to serving others and supporting his profession.

SECTION 2. That the Indiana House of Representatives congratulates Thomas Hamilton for being chosen Indiana Chiropractor of the Year.

SECTION 3. That the Principal Clerk of the House of Representatives is directed to transmit a copy of this resolution to Thomas Hamilton, the Indiana Board of Chiropractic Examiners, and the Indiana State Chiropractic Association.

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

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1003 and 1004 on November 23, 1999.

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 1037 and that Representatives Yount, Bottorff, Kuzman, Herrell, and Kruse be added as coauthors.

STURTZ

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 House Rule 106.1 be suspended for the purpose of adding more than three cosponsors to Engrossed Senate Bill 9 and that Representatives Alderman, Atterholt, Ayres, Becker, Behning, Bosma, Buell, Burton, Cherry, Dumezich, Duncan, Foley, Friend, Frizzell, Goeglein, Hoffman, Kruse, Linder, J. Lutz, Mannweiler, McClain, Mock, Murphy, Pond, Richardson, Ripley, Ruppel, Saunders, Scholer, M. Smith, Steele, Thompson, Turner, Ulmer, Whetstone, M. Young, and Yount be added as cosponsors.

BAUER

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 House Rule 106.1 be suspended for the purpose of adding more than three cosponsors to Engrossed Senate Bill 14 and that Representatives Crosby, Alderman, Atterholt, Ayres, Becker, Behning, Bosma, Buck, Buell, Burton, Cherry, Dumezich, Duncan, Espich, Foley, Friend, Frizzell, Goeglein, Hoffman, Kruse, Linder, J. Lutz, Mannweiler, McClain, Mock, Murphy, Pond, Richardson, Ripley, Ruppel, Saunders, Scholer, M. Smith, Steele, Thompson, Ulmer, M. Young, and Yount be added as cosponsors.

LEUCK

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 House Rule 106.1 be suspended for the purpose of adding more than three cosponsors to Engrossed Senate Bill 33 and that Representatives Ayres, Buck, Burton, Cherry, Dumezich, Duncan, Espich, Foley, Friend, Goeglein, Hoffman, Kruse, Linder, J. Lutz, Mock, Pond, Richardson, Ripley, Steele, and Yount be added as cosponsors.

FRY

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

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Dobis the House adjourned at 3:15 p.m., this twenty-third day of November, 1999, until Monday, January 10, 2000, at 1:30 p.m.

JOHN R. GREGG

Speaker of the House of Representatives

LEE SMITH

Principal Clerk of the House of Representatives