



Journal of the House

State of Indiana

111th General Assembly

Second Regular Session

Eleventh Meeting Day

Wednesday Afternoon

January 19, 2000

The House convened at 1:30 p.m. with the Speaker in the Chair.

The invocation was offered by the Most Reverend Gerald Gettelfinger, Catholic Diocese of Evansville, the guest of Representative Brian Hasler.

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

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 27: 98 present; 2 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.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 20, 2000, at 1:00 p.m.

OXLEY

Motion prevailed.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 2:30 p.m. with the Speaker in the Chair.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 11

Representatives Budak, Ayres, Pelath, and Cook introduced House Concurrent Resolution 11:

A CONCURRENT RESOLUTION to honor Floryan B. "Suzi" Oszuscik for his many years of faithful service to his community.

Whereas, Floryan B. "Suzi" Oszuscik has been a long time resident of Michigan City and Long Beach, Indiana;

Whereas, Mr. Oszuscik is a graduate of Elston High School, playing football for the Michigan City Red Devils;

Whereas, Suzi Oszuscik was first appointed Clerk-Treasurer of the Town of Long Beach, Indiana, then elected four (4) times, serving a total of nineteen (19) years;

Whereas, Mr. Oszuscik is the Past President of the Council of Northwest Indiana Towns and Smaller Cities;

Whereas, he has been a long standing member of the Indiana Municipal Clerks League, International Institute of Municipal Clerks, Indiana Association of Cities and Towns, and the American Institute of Parliamentarians;

Whereas, Suzi Oszuscik was responsible for changing the postal date line from Michigan City to Long Beach, Indiana;

Whereas, Suzi Oszuscik has worked long and hard to further the interests of the Republican Party in Long Beach, Indiana;

Whereas, Mr. Oszuscik served as an enlisted man in the United States Army during World War II, being discharged as a Sergeant;

Whereas, he is the father of two (2) sons and the grandfather of one (1) grandson: Therefore,

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

SECTION 1. The Indiana General Assembly congratulates Floryan B. "Suzi" Oszuscik for his many years of faithful service to his town, his political party, and the State of Indiana.

SECTION 2. The Principal Clerk of the House of Representatives is directed to transmit copies of this resolution to the Town of Long Beach and to Floryan B. "Suzi" Oszuscik.

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 Bowser and Alexa.

House Concurrent Resolution 12

Representatives Duncan, Dillon, Mangus, Ruppel, Mock, Scholer, Budak, Gregg, and Robertson introduced House Concurrent Resolution 12:

A CONCURRENT RESOLUTION honoring the life of Marvin Wood.

Whereas, Marvin Wood was born in Fountaintown, Indiana in 1928;

Whereas, Marvin played basketball under the legendary Tony Hinkle for three years at Butler University;

Whereas, Coach Wood took tiny Milan High School to the state basketball championships in 1954;

Whereas, As Coach of the "Milan Miracle" team, Coach Wood and his players demonstrated that small schools can win when they play with heart and character;

Whereas, Coach Wood retired from coaching boys basketball in 1980 with a 329-279 record after 26 years at five high schools;

Whereas, Coach Wood returned to Mishawaka High School as the girls basketball coach and led them to the semistate tournament in 1983;

Whereas, Coach Wood retired from his career as a teacher and counselor at Mishawaka High in 1990;

Whereas, Marvin Wood was elected to the Mishawaka Common Council in 1995;

Whereas, Marvin Wood celebrated 51 years of marriage with his wife, Mary, with whom he had a daughter, Deidra, and enjoyed spending his final days as a grandfather to her three children;

Whereas, Marvin Wood will be remembered for the fine example which he set for others by his fair and positive manner;

Whereas, Marvin Wood made a valiant fight against cancer with his usual upbeat attitude and his strong faith in God; and

Whereas, Marvin Wood was a living Hoosier Legend who will forever be remembered in the hearts of Hoosiers by giving them hope that all things are possible: Therefore,

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

SECTION 1. The Indiana General Assembly honors the life of Marvin Wood.

SECTION 2. The Principal Clerk of the Indiana House of Representatives is directed to transmit a copy of this resolution to the family of Marvin Wood.

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 Nugent.

House Resolution 7

Representatives Duncan, Dillon, Mangus, Ruppel, Mock, Scholer, Budak, Gregg, and Robertson introduced House Resolution 7:

A HOUSE RESOLUTION honoring the life of Marvin Wood.

Whereas, Marvin Wood was born in Fountaintown, Indiana in 1928;

Whereas, Marvin played basketball under the legendary Tony Hinkle for three years at Butler University;

Whereas, Coach Wood took tiny Milan High School to the state basketball championships in 1954;

Whereas, As Coach of the "Milan Miracle" team, Coach Wood

and his players demonstrated that small schools can win when they play with heart and character;

Whereas, Coach Wood retired from coaching boys basketball in 1980 with a 329-279 record after 26 years at five high schools;

Whereas, Coach Wood returned to Mishawaka High School as the girls basketball coach and led them to the semistate tournament in 1983;

Whereas, Coach Wood retired from his career as a teacher and counselor at Mishawaka High in 1990;

Whereas, Marvin Wood was elected to the Mishawaka Common Council in 1995;

Whereas, Marvin Wood celebrated 51 years of marriage with his wife, Mary, with whom he had a daughter, Deidra, and enjoyed spending his final days as a grandfather to her three children;

Whereas, Marvin Wood will be remembered for the fine example which he set for others by his fair and positive manner;

Whereas, Marvin Wood will be remembered for the fine example which he set for others by his fair and positive manner;

Whereas, Marvin Wood made a valiant fight against cancer with his usual upbeat attitude and his strong faith in God; and

Whereas, Marvin Wood was a living Hoosier Legend who will forever be remembered in the hearts of Hoosiers by giving them hope that all things are possible: Therefore,

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

SECTION 1. The Indiana House of Representatives honors the life of Marvin Wood.

SECTION 2. The Principal Clerk of the House of Representatives is directed to transmit a copy of this resolution to the family of Marvin Wood.

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

HOUSE BILLS ON SECOND READING

House Bill 1050

Representative Liggett called down House Bill 1050 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1050-1)

Mr. Speaker: I move that House Bill 1050 be amended to read as follows:

Page 1, delete lines 1 through 6.

Page 4, line 36, after "IC 22-3-6." insert "**Upon reasonable notice and upon the employee's presentation of a written consent for release of the employee's health records as provided in IC 16-39-1-4, the physician or surgeon shall supply to the employee, the employee's attorney, or another authorized representative, the health records (including x-rays) possessed by the physician or surgeon concerning the employee.**"

Page 29, delete lines 25 through 42.

Delete pages 30 through 32.

Page 33, delete lines 1 through 24.

Page 63, delete lines 21 through 22.

Renumber all SECTIONS consecutively.

(Reference is to HB 1050 as printed January 14, 2000.)

D. YOUNG

Motion prevailed. The bill was ordered engrossed.

House Bill 1216

Representative Dobis called down House Bill 1216 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1216-1)

Mr. Speaker: I move that House Bill 1216 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 36-8-10-12.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 12.1. (a) This section applies to ~~an~~ **a retired** employee beneficiary who

(~~1~~) ~~retires; after June 30, 1997; and~~

(~~2~~) served in a county that has adopted an ordinance stating that the maximum monthly pension for an employee beneficiary who retires ~~after June 30, 1997~~, shall be determined under this section instead of section 12(j) of this chapter.

(b) As used in this section, "average monthly wage" means the lesser of:

(1) the average monthly wage received by the employee beneficiary during the highest paid three (3) years before retirement; or

(2) the monthly minimum salary that a full-time prosecuting attorney is entitled to be paid by the state at the time the employee beneficiary retires.

(c) Except as provided in subsection (d), an employee beneficiary's monthly pension may not exceed twenty dollars (\$20) plus one-half (1/2) the amount of the average monthly wage.

(d) The fiscal body of a county may approve an increase in the maximum monthly pension for an employee beneficiary. The maximum monthly pension may:

(1) be increased by one percent (1%) of the average monthly wage for each six (6) months of service after twenty (20) years; and

(2) not exceed seventy-four percent (74%) of the average monthly wage plus twenty dollars (\$20)."

Page 1, line 5, delete ":" and insert "**either or both of the following:**".

Page 1, line 6, delete "an" and insert "An".

Page 1, line 7, delete ";" and insert ".".

Page 1, line 7, after ";" strike "or".

Page 1, line 8, delete "an" and insert "An".

Renumber all SECTIONS consecutively.

(Reference is to HB 1216 as printed January 14, 2000.)

HASLER

Motion prevailed. The bill was ordered engrossed.

House Bill 1222

Representative Ripley called down House Bill 1222 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1015

Representative Cook called down Engrossed House Bill 1015 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? Representative Sturtz was excused from voting.

Roll Call 28: yeas 92, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators C. Meeks and Alexa.

Engrossed House Bill 1018

Representative Grubb called down Engrossed House Bill 1018 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 29: yeas 65, nays 32. 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, Simpson, Clark, and Landske.

Engrossed House Bill 1063

Representative Herrell called down Engrossed House Bill 1063 for third reading:

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

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

Roll Call 30: yeas 69, nays 28. 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 Wheeler, Lewis, and Weatherwax.

Engrossed House Bill 1068

Representative Oxley called down Engrossed House Bill 1068 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 31: 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. Senate sponsors: Senators Landske and R. Young.

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

Representative Foley was excused temporarily.

Engrossed House Bill 1075

Representative Leuck called down Engrossed House Bill 1075 for third reading:

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

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

Roll Call 32: yeas 57, nays 34. 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 R. Meeks and Wolf.

Engrossed House Bill 1076

Representative Leuck called down Engrossed House Bill 1076 for third reading:

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

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

Roll Call 33: 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. Senate sponsors: Senators R. Meeks and Wolf.

Engrossed House Bill 1145

Representative Avery called down Engrossed House Bill 1145 for third reading:

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

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

Roll Call 34: yeas 73, nays 19. 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 Craycraft.

Engrossed House Bill 1259

Representative Herrell called down Engrossed House Bill 1259 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.

HOUSE MOTION

Mr. Speaker: I move that Engrossed House Bill 1259 be made a special order of business for Thursday, January 20, 2000, at 1:30 p.m.

RUPPEL

Motion prevailed.

Engrossed House Bill 1301

Representative L. Lawson called down Engrossed House Bill 1301 for third reading:

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

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

Roll Call 35: yeas 52, 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. Senate sponsor: Senator Bowser.

The Speaker Pro Tempore yielded the gavel to the Speaker.

Representative Foley was again present.

Engrossed House Bill 1370

Representative Porter called down Engrossed House Bill 1370 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education 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 36: yeas 49, nays 49. The bill failed for lack of a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1024, 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 2, between lines 10 and 11, begin a new paragraph and insert: "SECTION 2. IC 3-6-4.2-14, AS AMENDED BY P.L.38-1999, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 14. (a) Each year in which a general or municipal election is held, the election division shall call a meeting of all the members of the county election boards and the boards of registration to instruct them as to their duties under this title. **The election division may, but is not required to, call a meeting under this section during a year in which a general or a municipal election is not held.**

(b) Each circuit court clerk shall attend ~~the a~~ meeting called by the election division under this section.

(b) (c) The co-directors of the election division shall set the time and place of the instructional meeting. In years in which a primary election is held, the election division:

(1) may conduct the meeting before the first day of the year; and

(2) shall conduct the meeting before primary election day.

The instructional meeting may not last for more than two (2) days.

(c) (d) Each member of a county election board or board of registration is entitled to receive all of the following:

(1) A per diem of twenty-four dollars (\$24) for attending the instructional meeting required called by the election division under this section.

(2) A mileage allowance at the state rate for the distance necessarily traveled in going and returning from the place of the instructional meeting required called by the election division under this section.

(3) Reimbursement for the payment of the instructional meeting registration fee from the county general fund without appropriation.

(4) An allowance for lodging for each night preceding conference attendance equal to the lodging allowance provided to state employees in travel status."

Page 2, delete lines 28 through 42, begin a new paragraph and insert:

"SECTION 4. IC 3-10-12-3, AS AMENDED BY P.L.176-1999, SECTION 65, AND AS AMENDED BY P.L.202-1999, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

Sec. 3. (a) This section applies to a voter who:

(1) changes residence from a precinct in a county to another precinct:

(A) in the same county; and

(B) in the same congressional district;

as the former precinct; and

(2) does not notify the county voter registration office of the change of address before election day.

(b) **This section does not apply to a municipal primary election, municipal election, or special election held only within the municipality.**

(c) A voter described by subsection (a) may:

(1) correct the voter registration record; and

(2) vote in the precinct where the voter formerly resided;

if the voter makes an oral or a written affirmation as described in section 4 of this chapter of the voter's current residence address. *However, a voter described by subsection (a) who moved changes residence from outside of a municipality to a location within a municipality may not return to the precinct where the voter formerly resided to vote in a municipalelection, or special election held only within the municipality. A voter who moved from a location outside a municipality to a location within a municipality within thirty (30) days before a municipal primary election, municipal election, or special election held only within the municipality may not vote in the election in the precinct of the person's former residence.*

(c) (d) A person entitled to make a written affirmation under subsection (b) (c) may make an oral affirmation. The person must make the oral affirmation before the poll clerks of the precinct. After the person makes an oral affirmation under this subsection, the poll clerks shall:

(1) reduce the substance of the affirmation to writing at an appropriate location on the poll list; and

(2) initial the affirmation.

SECTION 5. IC 3-10-12-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 3.5. (a) **This section applies to a voter who:**

(1) changes residence from a precinct in a municipality to another precinct in the same municipality as the former precinct; and

(2) does not notify the county voter registration office of the change of address before election day.

(b) As used in this section, "municipal election" refers to a

municipal primary election, municipal election, or special election held only within the municipality.

(c) A voter described by subsection (a) may:

- (1) correct the voter registration record; and
- (2) vote in the precinct where the voter formerly resided;

if the voter makes an oral or a written affirmation as described in section 4 of this chapter of the voter's current residence address.

(d) A voter who moved outside a municipality may not return to the precinct where the voter formerly resided to vote in a municipal election.

(e) A voter who moved from a location outside a municipality to a location within a municipality may not vote in the municipal election in the precinct of the person's former residence.

(f) A person entitled to make a written affirmation under subsection (c) may make an oral affirmation. The person must make the oral affirmation before the poll clerks of the precinct. After the person makes an oral affirmation under this subsection, the poll clerks shall:

- (1) reduce the substance of the affirmation to writing at an appropriate location on the poll list; and
- (2) initial the affirmation.

SECTION 6. IC 3-10-12-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. (a) The written affirmation described in section 3 of this chapter may be executed as follows:

- (1) At the office of the circuit court clerk or the board of registration for the county of the precinct of the person's former residence, not later than 4 p.m. on the day before the election.
- (2) Before the inspector of the precinct of the person's former residence, if the application and statement are executed on the day of the election.
- (3) When the application for an absentee ballot is filed with the county election board of the county of the precinct of the person's former residence.

(b) If the person executes the affidavit under this section at the office of the circuit court clerk or board of registration before the day of the election, the clerk or board shall furnish a copy of the affirmation to the person. The person shall present the copy to the inspector of the precinct of the person's former residence when the person offers to vote in that precinct under IC 3-11-8.

(c) If the person executes the affirmation under this section when filing an application for an absentee ballot, the county election board shall attach the original or a copy of the affirmation to the person's application for an absentee ballot before the application and ballot are delivered to the inspector of the precinct of the person's former residence.

(d) If the person executes the affirmation under this section before the inspector of the precinct of the person's former residence on the day of the election, the inspector shall return the original affirmation to the circuit court clerk or board of registration after the closing of the polls."

Page 3, delete lines 1 through 17.

Page 5, between lines 32 and 33, begin a new paragraph and insert: "SECTION 12. IC 5-4-1-1.2, AS AMENDED BY P.L.176-1999, SECTION 120, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 1, 1999 (RETROACTIVE)]: Sec. 1.2. (a) This section does not apply to an individual appointed or elected to an office the establishment or qualifications of which are expressly provided for in the Constitution of the State of Indiana or the Constitution of the United States.

(b) **Subject to subsection (c), an officer individual appointed or elected to an office of a political subdivision does not take and file may take the oath required under section 1 of this chapter within at any time after the individual's appointment or election.**

(c) **An individual appointed or elected to an office of a political subdivision must take the oath required by section 1 of this chapter and deposit the oath as required by section 4 of this chapter not later than thirty (30) days after the beginning of the officer's term of office.**

(d) **If an individual appointed or elected to an office of a political subdivision does not comply with subsection (c), the office becomes vacant."**

Page 18, line 17, after "10.5." insert: "**(a) This section does not apply**

to the following:

(1) An elected or appointed public officer.

(2) An individual described in IC 20-5-3-11.

(b)".

Page 18, line 18, delete "(other than an elected or appointed public".

Page 18, line 19, delete "officer)".

Page 18, delete lines 25 through 42, begin a new paragraph and insert:

"SECTION 23. IC 36-4-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. **¶ (a) This section applies to a town that has a population of more than two thousand (2,000). it**

(b) Subject to section 4.4 of this chapter, the legislative body of a town may change the town into a city under section 4.2 of this chapter or in the following manner:

- (1) The town legislative body may adopt a resolution submitting to the town's voters the question of whether the town should change into a city. The legislative body shall adopt such a resolution if at least the number of the registered voters of the town required under IC 3-8-6-3 to place a candidate on the ballot petition it to do so. The legislative body shall file a copy of the resolution with the ~~clerk of the circuit court~~ clerk for each county in which the town is located. The circuit court clerk shall immediately certify the resolution to the county election board.
- (2) The resolution must fix a date for an election on the question. If the election is to be a special election, the date must be not less than thirty (30) nor more than sixty (60) days after the notice of the election. If the election is to be on the same date as a general election, the resolution must state that fact and be certified in accordance with IC 3-10-9-3.
- (3) Notice of the election must be given by the ~~clerk of the circuit court~~ clerk in the manner prescribed by IC 3-8-2-19. IC 3-10-6 applies to the election.
- (4) The question shall be placed on the ballot in the form prescribed by IC 3-10-9-4 and must state "Shall the town of _____ change into a city?"
- (5) If a majority of those voting on the question vote "yes", the town changes into a city when its officers are elected and qualified; otherwise the town remains a town.

SECTION 24. IC 36-4-1-4.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4.2. (a) **This section applies to a town that has a population of more than two thousand (2,000).**

(b) Subject to section 4.4 of this chapter, the legislative body of a town may change the town into a city by adopting an ordinance.

(c) If an ordinance is adopted under this section, the town legislative body shall file a copy of the ordinance with the circuit court clerk of each county in which the town is located. The circuit court clerk shall immediately certify the ordinance to the county election board.

(d) Candidates for the initial election of city officers shall be nominated at the next municipal primary election scheduled under IC 3-10-6-2. The initial election of city officers shall be conducted at the next municipal election scheduled under IC 3-10-6-5.

(e) Candidates elected under subsection (d) take office as officers of the city on January 1 following their election.

SECTION 25. IC 36-4-1-4.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4.4. **A town legislative body may not adopt a resolution under section 4 of this chapter or an ordinance under section 4.2 of this chapter during the period:**

- (1) beginning on the first day a declaration of candidacy for the primary election in a municipal election year may be filed under IC 3-8-2-4; and
- (2) ending on the day after the day of the municipal election.

SECTION 26. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2000]: IC 3-11-15-18; IC 3-11-15-19; IC 3-11-15-27; IC 3-11-15-28; IC 3-11-15-29; IC 3-11-15-30; IC 3-11-15-31.

SECTION 27. [EFFECTIVE NOVEMBER 1, 1999 (RETROACTIVE)]

(a) Notwithstanding IC 5-4-1-1.2, as amended by this act, an individual appointed or elected to an office of a political subdivision

after November 1, 1999, and before July 1, 2000, does not vacate the office under IC 5-4-1-1.2, as amended by this act, if all of the following apply:

- (1) The individual took the oath required by IC 5-4-1-1 at any time after the individual's appointment or election.
- (2) The individual took the oath required by IC 5-4-1-1 not later than thirty (30) days after the beginning of the term of office.
- (3) The oath was deposited with the appropriate office not later than December 31, 2000, under IC 5-4-1-4, as in effect July 1, 2000.

(b) This SECTION expires January 1, 2004."

Page 19, delete lines 1 through 17.

Renumber all SECTIONS consecutively.
(Reference is to HB 1024 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

KROMKOWSKI, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1053, 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.

COOK, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1062, 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 3, delete "(a)".

Page 1, delete lines 10 through 12.

(Reference is to HB 1062 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

KUZMAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1074, 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 14, nays 0.

PORTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1106, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "'service brake' means the primary system or mechanism" and insert "'**compression release engine brake**' means a hydraulically operated device that converts a power producing diesel engine into a power-absorbing retarding mechanism."

Page 1, delete line 4.

Page 2, line 33, delete "for determining the regulation of controls for the" and insert "**to control the use of compression release engine brakes**".

Page 2, line 34, delete "operation of brakes on a trailer".

Page 2, line 35, delete "road. These rules must include the prohibition of the " and insert " **road in a county having a population of more than one hundred twenty-five thousand (125,000) but less than one hundred twenty-nine thousand (129,000).** " .

Page 2, delete lines 36 through 42.

Page 3, delete lines 1 through 6.

Renumber all SECTIONS consecutively.
(Reference is to HB 1106 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

COOK, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, 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 do pass.

Committee Vote: yeas 8, nays 4.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1115, 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 14, nays 0.

C. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1141, 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 13, nays 0.

C. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1142, 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 9, nays 0.

LEUCK, Vice Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1158, 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 4, delete "2001" and insert "**2002**".

Page 2, between lines 19 and 20, begin a new paragraph and insert: "**Sec. 5. This chapter expires January 1, 2001.**".

Page 2, delete lines 21 through 30.

Page 2, line 31, delete "(c)" and insert "(a)".

Page 2, line 31, delete "any other law, rule, or guideline of the".

Page 2, delete line 32.

Page 2, line 33, delete "subtract" and insert "**IC 21-3-1.9, as added by this act, a school corporation may not include**".

Page 2, line 34, delete "from" and insert "**in**".

Page 2, line 40, delete "." and insert "**unless the requirements for counting the student are satisfied. In addition, the school corporation may not include the student in the school corporation's previous year average daily membership, average daily attendance, additional pupil count, or the school corporation's previous year revenue for the purposes of IC 21-3-1.7.**".

Page 2, line 41, delete "(d)" and insert "(b)".

Page 2, line 41, delete "2000" and insert "2001".

(Reference is to HB 1158 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 16, nays 3.

BAUER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1162, 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 2, line 6, delete ":".

Page 2, line 7, delete "(1)".

Page 2, run in lines 6 and 7.

Page 2, line 9, delete "; or".

Page 2, delete lines 10 through 12.

Page 2, run in lines 9 and 13.

(Reference is to HB 1162 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

STEVENSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1166, 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 4, line 25, delete "and".

Page 4, line 27, delete "." and insert ";".

Page 4, between lines 27 and 28, begin a new line block indented and insert:

"(3) gifts and grants to the fund;

(4) investment income earned on the fund's assets; and

(5) other funds from sources approved by the commission."

Page 4, line 31, after "below" insert "eighty percent (80%) of".

Page 4, line 34, delete "and".

Page 4, line 35, delete "." and insert ";".

Page 4, between lines 35 and 36, begin a new line block indented and insert:

"(3) making grants, loans, and loan guarantees for the development, rehabilitation, or financing of affordable housing for individuals and families whose income is at or below eighty percent (80%) of the county's median income for individuals and families, respectively, including the elderly, persons with disabilities, and homeless individuals and families; and

(4) providing technical assistance to nonprofit developers of affordable housing.

(h) At least fifty percent (50%) of the dollars allocated for production, rehabilitation, or purchase of housing must be used for units to be occupied by individuals and families whose income is at or below fifty percent (50%) of the county's area median income for individuals and families respectively.

(i) The low income housing trust fund advisory committee is established. The low-income housing trust fund advisory committee consists of eleven (11) members. The membership of the low income housing trust fund advisory committee is comprised of:

(1) one (1) member appointed by the mayor, to represent the interests of low income families;

(2) one (1) member appointed by the mayor, to represent the interests of owners of subsidized, multifamily housing communities;

(3) one (1) member appointed by the mayor, to represent the interests of banks and other financial institutions;

(4) one (1) member appointed by the mayor, of the department of metropolitan development;

(5) three (3) members representing the community at large appointed by the commission, from nominations submitted to

the commission as a result of a general call for nominations from neighborhood associations, community based organizations, and other social services agencies;

(6) one (1) member appointed by and representing the Coalition for Homeless Intervention and Prevention of Greater Indianapolis;

(7) one (1) member appointed by and representing the Local Initiatives Support Corporation;

(8) one (1) member appointed by and representing the Indianapolis Coalition for Neighborhood Development; and

(9) one (1) member appointed by and representing the Indianapolis Neighborhood Housing Partnership.

Members of the low income housing trust fund advisory committee serve for a term of four (4) years, and are eligible for reappointment. If a vacancy exists on the committee, the appointing authority who appointed the former member whose position has become vacant shall appoint an individual to fill the vacancy. A committee member may be removed at any time by the appointing authority who appointed the committee member.

(j) The low income housing trust fund advisory committee shall make recommendations to the commission regarding:

(1) the development of policies and procedures for the uses of the low income housing trust fund; and

(2) long term sources of capital for the low income housing trust fund, including:

(A) revenue from:

(i) development ordinances;

(ii) fees; or

(iii) taxes;

(B) financial market based income;

(C) revenue derived from private sources; and

(D) revenue generated from grants, gifts, donations or income in any other form, from a:

(i) government program;

(ii) foundation; or

(iii) corporation.

(k) The county treasurer shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested."

(Reference is to HB 1166 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

STEVENSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1167, 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 6, nays 3.

STEVENSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1182, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 33-5-10.2 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

Chapter 10.2. Dearborn Superior Court

Sec. 1. There is established a court of record to be known as the Dearborn superior court (referred to as "the court" in this chapter). The court may have a seal containing the words "Dearborn Superior Court, Dearborn County, Indiana". Dearborn County comprises the

judicial district of the court.

Sec. 2. (a) The court has one (1) judge, who shall be elected at the general election every six (6) years in Dearborn County. The judge's term begins January 1 following the election and ends December 31 following the election of the judge's successor.

(b) To be eligible to hold office as judge of the court, a person must:

- (1) be a resident of Dearborn County;
- (2) be less than seventy (70) years of age at the time of taking office; and
- (3) be admitted to the bar of Indiana.

Sec. 3. (a) Except as provided in subsection (b), the court has the same jurisdiction as the Dearborn circuit court.

(b) The Dearborn circuit court has exclusive juvenile jurisdiction.

Sec. 4. The judge of the court has the same powers relating to the conduct of the business of the court as the judge of the Dearborn circuit court. The judge of the court also may administer oaths, solemnize marriages, and take and certify acknowledgments of deeds.

Sec. 5. The judge of the court shall appoint a bailiff and an official court reporter for the court. The judge may appoint a referee, commissioner, or other personnel as the judge considers necessary to facilitate and transact the business of the court. Their salaries shall be fixed in the same manner as the salaries of the personnel for the Dearborn circuit court. Their salaries shall be paid monthly out of the treasury of Dearborn County as provided by law. Personnel appointed under this section continue in office until removed by the judge of the court.

Sec. 6. The clerk of the court, under the direction of the judge of the court, shall provide order books, judgment dockets, execution dockets, fee books, and other books for the court, which shall be kept separately from the books and papers of other courts.

Sec. 7. The court shall hold its sessions in the Dearborn County courthouse in Lawrenceburg, Indiana, or in such other places in the county as the Dearborn county executive may provide. The county executive shall provide and maintain a suitable courtroom and other rooms and facilities, including furniture and equipment, as may be necessary. The Dearborn County fiscal body shall appropriate sufficient funds for the provision and maintenance of these rooms and facilities.

Sec. 8. The jury commissioners appointed by the judge of the Dearborn circuit court shall serve as the jury commissioners for the court. Juries shall be selected in the same manner as juries for the Dearborn circuit court. The grand jury selected for the Dearborn circuit court shall also serve as the grand jury for the court as may be necessary.

Sec. 9. The judge of the Dearborn circuit court may, with the consent of the judge of the court, transfer any action or proceeding from the circuit court to the court. The judge of the court may, with the consent of the judge of the circuit court, transfer any action or proceeding from the court to the circuit court.

Sec. 10. The judge of the Dearborn circuit court may, with the consent of the judge of the court, sit as a judge of the court in any matter as if the judge of the circuit court were an elected judge of the court. The judge of the court may, with the consent of the judge of the circuit court, sit as a judge of the circuit court in any matter as if the judge of the court were an elected judge of the circuit court.

Sec. 11. The court has a standard small claims and misdemeanor division."

Page 3, after line 17, begin a new paragraph and insert:

"SECTION 8. [EFFECTIVE JULY 1, 2000] (a) On July 1, 2000, the Dearborn county court is abolished.

(b) Any case pending in the Dearborn county court after the close of business on June 30, 2000, is transferred on July 1, 2000, to the Dearborn superior court established by this act. All cases transferred under this SECTION that are eligible to be heard by the standardsmall claims and misdemeanor division shall be transferred to the standard small claims and misdemeanor division of the court. A case transferred under this SECTION shall be treated as if the case were filed in the Dearborn superior court.

(c) On July 1, 2000, all property and obligations of the Dearborn

county court become the property and obligations of the Dearborn superior court.

(d) The initial judge of the Dearborn superior court added by this act shall be the person who is the Dearborn county court judge on June 30, 2000. The term of the initial judge begins July 1, 2000, and ends December 31, 2002. The initial election of a judge for the Dearborn superior court added by this act shall be the general election conducted on November 5, 2002. The term of the initial elected judge begins January 1, 2003.

(e) This SECTION expires January 2, 2003."

Renumber all SECTIONS consecutively.

(Reference is to HB 1182 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

DVORAK, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1187, 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, delete "noncommercial".

Page 1, line 12, after "beyond the" insert " **manufacturer installed**".

Page 1, line 14, after "(B) the" insert " **manufacturer installed**".

Page 2, delete lines 17 through 42.

Delete page 3.

(Reference is to HB 1187 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

COOK, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1201, 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 9, nays 3.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1228, 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.

STEVENSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1267, 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:

Delete the title and insert the following:

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

Replace the effective date in SECTION 1 with "[EFFECTIVE JANUARY 1, 2001]".

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-21-12-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 5. (a) This section does not apply to the following:

- (1) A street railway grade crossing within a business or residence district.

(2) Abandoned or unused tracks.
 (b) A person who drives:
 (1) a motor vehicle carrying passengers for hire;
 (2) a school or private bus that is carrying passengers; or
 (3) a vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo;
 shall, before crossing at grade a track of a railroad, stop the vehicle not more than fifty (50) feet and not less than fifteen (15) feet from the nearest rail of the railroad. **However, this subsection does not apply to a school bus whenever the school bus is being driven on a highway that is divided into two (2) roadways (as described in IC 9-21-8-17) of at least two (2) lanes each.**

(c) While stopped in accordance with subsection (b), the person shall do the following:

- (1) Listen through an open window or door.
- (2) Look in both directions along the track for an approaching train and for signals indicating the approach of a train.
- (3) Not proceed until the person can proceed safely.

After stopping the person shall cross only in a gear of the vehicle so there will be no necessity for changing gears while traversing the crossing. The person who drives the vehicle may not shift gears while crossing the track or tracks.

(d) If a police officer or traffic control signal directs traffic to proceed at a railroad crossing, the person who drives a vehicle subject to this section shall proceed in accordance with the instructions of the police officer or traffic control signal."

Page 1, delete lines 7 through 10, begin a new line blocked left and insert:

"to require that each school bus bear:

- (1) the name of the school district on the top of the school bus; and**
- (2) the number of the school district on the back of the schoolbus;"**.

Page 1, delete lines 13 through 18.

Delete page 2.

Renumber all SECTIONS consecutively.

(Reference is to HB 1267 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 1.

COOK, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1297, 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.

DVORAK, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1316, 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.

LIGGETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1328, 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:

Replace the effective date in SECTION 2 with "[EFFECTIVE JULY 1, 2001]".

Page 2, line 9, strike "request" and insert "**require**".

(Reference is to HB 1328 as introduced.)
 and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

KUZMAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1329, 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:

Replace the effective dates in SECTIONS 1 through 5 with "[EFFECTIVE UPON PASSAGE]".

Page 2, line 2, after "Hospices" insert "**that furnish inpatient care and are**".

Page 3, after line 31, begin a new paragraph and insert:

"SECTION 6. **An emergency is declared for this act.**".

(Reference is to HB 1329 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 14, nays 0.

C. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1330, 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 13, nays 0.

PORTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1343, 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 9, nays 0.

STURTZ, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1347, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 12-7-2-149, AS AMENDED BY P.L.273-1999, SECTION 78, AND AS AMENDED BY P.L.273-1999, SECTION 167, IS AMENDED AND CORRECTED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 149. "Provider" means the following:

(1) For purposes of IC 12-10-7, the meaning set forth in IC 12-10-7-3.

(2) For purposes of the following statutes, an individual, a partnership, a corporation, or a governmental entity that is enrolled in the Medicaid program under rules adopted under IC 4-22-2 by the office of Medicaid policy and planning:

(A) IC 12-14-1 through ~~IC 12-14-9~~ IC 12-14-9.5.

(B) IC 12-15, except IC 12-15-11-4, IC 12-15-32, IC 12-15-33, and IC 12-15-34.

(C) IC 12-17-10.

(D) IC 12-17-11.

(E) IC 12-17.6.

(3) For purposes of IC 12-15-11-4(c), the meaning set forth in IC 12-15-11-4(a).

(3) (4) For purposes of IC 12-17-9, the meaning set forth in IC 12-17-9-2.

(4) For purposes of IC 12-17-18, the meaning set forth in IC 12-17-18-2.

(5) For the purposes of IC 12-17.2, a person who operates a child care center or child care home under IC 12-17.2.

(6) (5) For purposes of IC 12-17.4, a person who operates a child caring institution, foster family home, group home, or child placing agency under IC 12-17.4."

Page 1, line 2, after "(a)" insert "**As used in subsection (c), "provider" refers to a provider that is the sole disproportionate share hospital in:**

(1) **a city having a population of more than one hundred ten thousand (110,000) but less than one hundred twenty thousand (120,000); or**

(2) **a city having a population of more than thirty-three thousand eight hundred fifty (33,850) but less than thirty-three thousand nine hundred (33,900).**

(b)".

Page 1, line 3, delete "(b)" and insert "(c)".

Page 1, line 7, delete "(b)" and insert "(c)".

Page 1, line 7, delete "that qualifies as a disproportionate share".

Page 1, line 8, delete "provider under IC 12-15-16-1".

Page 1, line 9, delete "and".

Page 1, line 11, delete "geographic area" and insert "**city**".

Page 1, line 12, after ";" insert "**and**".

Page 1, between lines 12 and 13, begin a new line block indented and insert:

"(3) **allowed by the office or the office's managed care contractor to provide services to each individual who:**

(A) **is eligible to receive services under IC 12-15; and**

(B) **resides in the same city in which the provider is located; if the individual elects to receive services from the provider;**".

Page 1, between lines 15 and 16, begin a new paragraph and insert:

"(d) **A provider that provides services under subsection (c) must abide by all lawful determinations made by the office's managed care contractor regarding appropriate and medically necessary care.**".

Page 2, line 15, strike "physician" and insert "**health care**".

Page 2, line 17, after "providers" insert "":

(1)".

Page 2, line 18, delete "." and insert "; or

(2) **otherwise described in IC 12-15-11-4(c).**".

Page 2, line 30, delete "meet the following requirements:" and insert "**are described in IC 12-15-11-4(c).**".

Page 2, delete lines 31 through 42.

Page 3, delete lines 1 through 35.

Renumber all SECTIONS consecutively.

(Reference is to HB 1347 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 14, nays 0.

C. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1368, 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 8, nays 6.

PORTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1371, 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 8, nays 5.

CHENEY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Human Affairs, to which was referred House Bill 1419, 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 3, line 20, delete "The" and insert "**Before July 29, 2000, the**".

Page 3, line 22, after "SECTION" insert "**as follows:**

(1) **Fifty thousand dollars (\$50,000) to the Indiana Organ Procurement Organization, Inc., for the establishment of a statewide telephone donor and patient referral system.**

(2) **All money remaining in the special account after the payment required under subdivision (1)".**

Page 3, line 23, delete "before July 29, 2000".

(Reference is to HB 1419 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

SUMMERS, Chair

Report adopted.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Budak be added as coauthor of House Bill 1015.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Budak be added as coauthor of House Bill 1035.

VILLALPANDO

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ruppel be removed as coauthor of House Bill 1036.

BODIKER

Motion prevailed.

HOUSE MOTION

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

VILLALPANDO

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Welch, Cook, and Kruse be added as coauthors of House Bill 1057.

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 and that Representatives Villalpando and L. Lawson be added as coauthors of House Bill 1142

STEVENSON

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 Representatives Budak and Klinker be added as coauthors of House Bill 1168.

DUNCAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Burton and Whetstone be added as coauthors of House Bill 1195.

KUZMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Burton and Whetstone be added as coauthors of House Bill 1196.

KUZMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dobis be added as coauthor of House Bill 1204.

ATTERHOLT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Welch be added as coauthor of House Bill 1206.

ATTERHOLT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives C. Brown and Welch be added as coauthors of House Bill 1215.

WHETSTONE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cook be added as coauthor of House Bill 1218.

WOLKINS

Motion prevailed.

HOUSE MOTION

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

L. LAWSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Steele be added as coauthor of House Bill 1330.

KRUZAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Mellinger be added as coauthor of House Bill 1348.

ULMER

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Ruppel the House adjourned at 5:15 p.m., this nineteenth day of January, 2000, until Thursday, January 20, 2000, at 1:00 p.m.

JOHN R. GREGG

Speaker of the House of Representatives

LEE SMITH

Principal Clerk of the House of Representatives