



# Journal of the House

State of Indiana

111th General Assembly

Second Regular Session

Sixteenth Meeting Day

Thursday Afternoon

January 27, 2000

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

The invocation was offered by Reverend Tom McGilliard, First United Methodist Church, Martinsville, the guest of Representative Ralph M. Foley.

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

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 93: 99 present; 1 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.

KUZMAN

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, January 31, 2000, at 11:00 a.m.

ROBERTSON

Motion prevailed.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 30

Representative V. Smith introduced House Concurrent Resolution 30:

A CONCURRENT RESOLUTION calling for public policies that foster the growth of family literacy programs.

*Whereas, parents or guardians are a child's first teacher;*

*Whereas, the National Academy of Sciences and other literacy experts have found that one of the best ways to prevent reading difficulties in young children is to provide them with language and literacy-rich environments in their homes;*

*Whereas, experts also agree that children learn to read and have overall higher academic achievement when they live in homes where good reading habits are practiced and they are read to and encouraged to read;*

*Whereas, this does not often happen in families where parents or care givers have limited resources and low literacy skills;*

*Whereas, according to the National Institute for Literacy, more than 40 million Americans age 16 and older read at the most remedial levels;*

*Whereas, research has shown that a child's literacy level is often linked to the educational level of his or her parent or care giver; and*

*Whereas, studies by family literacy organizations have shown that when the reading and overall education levels of adults improves, their children's academic performance also improves: 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 State of Indiana develop legislation and public policies that foster the growth of family literacy programs, particularly in high need regions of Indiana.

SECTION 2. That the State of Indiana develop legislation and public policies that provide effective measures for the training of parents and care givers in the various ways to foster literacy in their children.

SECTION 3. That the Indiana General Assembly calls on all citizens of Indiana to be aware of the importance of reading to and with children.

SECTION 4. That the State of Indiana develop policies in all sectors of public life to improve existing family literacy programs and

create such programs in those high need areas where they do not exist.

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 Rogers and Bowser.

### House Concurrent Resolution 31

Representative V. Smith introduced House Concurrent Resolution 31:

A CONCURRENT RESOLUTION to promote children's access to books and promote reading achievement.

*Whereas, according to the National Institute for Literacy, more than 40 million Americans age 16 and older read at remedial levels;*

*Whereas, scores of studies and bodies of research have shown direct links between low literacy and higher probabilities of underemployment, unemployment, poverty, juvenile delinquency, criminal behavior and other social ills;*

*Whereas, the issues of reading achievement and literacy have acknowledged to be of supreme importance to the African American community because the 3 1998 National Assessment of Education Progress Reading Report Card reflected that there is a reading achievement gap between white and black students showing black children possessing lower scores than their white counterparts;*

*Whereas, literacy experts agree that in order for children to read and to reach the highest levels of reading achievement they must form a sustained reading habit;*

*Whereas, the essential tools required to foster good reading habits and enhance children's reading abilities and achievement are quality books and reading materials;*

*Whereas, books are often not readily available to children who are most at risk of reading failure as many of our nation's schools, particularly those in low-income areas, do not have sufficient reading materials in classrooms or libraries;*

*Whereas, many economically disadvantaged children live in homes without books or with few books; and*

*Whereas, the Commission on Reading found that children who read a lot—and therefore have better reading performance—tend to come from homes and communities where books are easily available: 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 State of Indiana develop policies aimed at putting books and other reading materials in the hands of children and providing children with exposure to literacy-rich environments in order to enable them to learn to read and to encourage reading.

SECTION 2. That the legislators of the General Assembly work to devise means to authorize and appropriate funds for books and other reading materials in all reading achievement-related legislation or initiatives.

SECTION 3. That all legislative initiatives concerning reading achievement include provisions to develop standards that assure that books and other reading materials are available in classrooms, school libraries and childcare facilities, in sufficient numbers proportionate to the student population, to ensure that reading tools are accessible to all children.

SECTION 4. That to help children have access to books at home, funding be provided to support local, non-profit literacy programs that supply free or low-cost books and reading materials to children and their families.

SECTION 5. That the Indiana General Assembly calls on all sectors of the community—education, nonprofit, business and government—to work together to ensure that all children, regardless of socio-economic status reach the highest levels of reading achievement.

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 Rogers and Bowser.

### House Concurrent Resolution 32

Representative V. Smith introduced House Concurrent Resolution 32:

A CONCURRENT RESOLUTION petitioning the United States Congress to support paraprofessionals in Title I of the Elementary and Secondary Education Act.

*Whereas, the school children of Indiana, and all America, deserve a quality public education;*

*Whereas, with the passage of Title I, the Elementary and Secondary Education Act (ESEA), over 33 years ago, the federal government made a commitment to disadvantaged children;*

*Whereas, state legislatures, along with local school districts must address the urgent needs of America's children by investing in public elementary and secondary education;*

*Whereas, teachers' aides/paraprofessionals are invaluable partners in the educational experience of school children and provide assistance to teachers and support them in classroom management, administration and discipline;*

*Whereas, ongoing professional development and training for teachers and paraprofessionals are key components of any effective Title I program;*

*Whereas, Congress is considering new rules for the participation of teachers' aides/paraprofessionals in Title I that may impose additional educational requirements for existing teachers' aides/paraprofessionals, but may not provide adequate resources for training to ensure that dedicated teachers' aides will not be displaced due to the inability to complete federally mandated education requirements; and*

*Whereas, teachers' aides/paraprofessionals are primarily women of color, single parents, and individuals who live in the communities the public school serves and are working to support their families and improve the educational opportunities for their children and the children they work with in the classroom: Therefore,*

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

SECTION 1. That the General Assembly of the State of Indiana urges the Congress of the United States to provide adequate money and other resources to cover the expenses of the federally-imposed requirements for the professional development and education of teachers' aides/paraprofessionals.

SECTION 2. That the Clerk of the House transmit a copy of this resolution to all the Indiana representatives and senators in the United States Congress and to the Clerk of the United States House of Representatives.

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 Rogers and Bowser.

### House Concurrent Resolution 33

Representatives GiaQuinta, T. Adams, Alderman, Atterholt, Avery, Ayres, Bailey, Bardon, Bauer, Becker, Behning, Bischoff, Bodiker, Bosma, Bortoff, C. Brown, T. Brown, Buck, Budak, Buell, Burton, Cheney, Cherry, Cochran, Cook, Crawford, Crooks, Crosby, Day, Denbo, Dickinson, Dillon, Dobis, Dumezich, Duncan, Dvorak, Espich, Foley, Frenz, Friend, Frizzell, Fry, Goeglein, Gregg, Grubb, Harris, Hasler, Herrell, Hoffman, Kersey, Klinker, Kromkowski, Kruse, Kruzan, Kuzman, L. Lawson, Leuck, Liggett, Linder, J. Lutz, Lytle, Mahern, Mangus, Mannweiler, McClain, Mellinger, Mock, Moses, Munson, Murphy, Oxley, Pelath, Pond, Porter, Richardson, Ripley, Robertson, Ruppel, Saunders, Scholer, M. Smith, V. Smith, Steele, Stevenson, Stilwell, Sturtz, Summers, Thompson, Tinch, Torr, Turner, Ulmer, Villalpando, Weinzapfel, Welch, Whetstone, Wolkins, D. Young, M. Young, and Yount introduced House Concurrent Resolution 33:

A CONCURRENT RESOLUTION supporting the action of the state

budget committee approving funding for a donation to be applied to the construction of the National World War II Memorial in Washington, D.C.

*Whereas, On May 25, 1993, President Clinton signed Public Law 103-32 authorizing the American Battle Monuments Commission to establish a World War II Memorial in Washington, D.C.;*

*Whereas, This memorial will be the first national memorial dedicated to those who served during World War II and to the commitment and achievement of the entire nation;*

*Whereas, The memorial will honor the 16.5 million men and women who served in the U.S. armed forces during World War II, 406,000 of whom gave their life for their country;*

*Whereas, The memorial will honor the spirit, sacrifice, and commitment of the American people in the defense of the nation and the causes of peace and freedom throughout the world;*

*Whereas, The memorial will "stand as an important symbol of American national unity, a timeless reminder of the moral strength and awesome power that can flow when a free people are at once united and bonded together in a common and just cause";*

*Whereas, The proposed National World War II Memorial will be built on the Rainbow Pool site at the east end of the Reflecting Pool between the Lincoln Memorial and the Washington Monument, a site that was dedicated by President Clinton during a formal ceremony on Veterans Day, 1995;*

*Whereas, Construction of the \$100,000,000 memorial is funded almost entirely by private contributions and is scheduled to begin on Veterans Day, 2000;*

*Whereas, Although most of the funds are to be collected from private sources, the commission has asked each state to contribute \$1 for each citizen who served during World War II;*

*Whereas, All states have responded to this request except two: Indiana and Wyoming;*

*Whereas, The citizens of Indiana realize the great debt that is owed to the World War II veterans, as indicated by a single donation of \$38,000 by an Indianapolis veterans organization to be applied to the construction of the monument; and*

*Whereas, It is fitting and proper that the state of Indiana contribute the requested funds to the American Battle Monuments Commission for the construction of the National World War II Memorial in Washington, D.C.: 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 supports the action of the state budget committee to fulfill the requested contribution of one dollar (\$1) for each Indiana resident who fought in World War II to be used to construct the National World War II Memorial in Washington, D.C.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to General Fred Woerner, United States Army (Ret), chairman of the American Battle Monuments Commission.

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 Jackman.

### House Concurrent Resolution 34

Representatives M. Young, Behning, Atterholt, Bardon, and Mahern introduced House Concurrent Resolution 34:

A CONCURRENT RESOLUTION congratulating Ben Davis High School on winning the 1999 Class 5A state football championship.

*Whereas, On November 26, 1999, Ben Davis High School defeated Penn High School 27-3 to win the 1999 Class 5A state football championship;*

*Whereas, Winning the state championship is a tradition for the*

*Ben Davis football program, having won four other times—1987, 1988, 1990, and 1991;*

*Whereas, The Ben Davis football team completed its seventh perfect season with a 15-0 record, holding opponents to an average of less than nine points per game;*

*Whereas, The Ben Davis Giants' defense scored seven touchdowns and produced a school record for takeaways, finishing the season plus 18 in the turnover department;*

*Whereas, The offense was equally tenacious and hard working, averaging just under 30 points per game;*

*Whereas, The Ben Davis Giants finished the season ranked sixth in the nation in the Fox Sports Fab 50 poll and 18th in the country in the USA Today Top 20 poll;*

*Whereas, There were five Ben Davis players chosen to the Associated Press All-State First Team: Jeremy Chandler (DB), Triston Jointer (DE), Andrew Robinson (OL), and James Banks (QB). Damon Fine (K) was Honorable Mention;*

*Whereas, Jeremy Chandler and Triston Jointer were presented Position Awards as two of the eight best players in the state following voting of the state's coaches and media for the 1999 Mr. Football. Triston Jointer was given the award for defensive linemen and Jeremy Chandler was given the award for defensive backs;*

*Whereas, Defensive Back Jeremy Chandler received the IHSAA Mental Attitude Award following the state championship victory;*

*Whereas, Several Ben Davis players received post season awards including Ron Greene, offensive player of the year; Chad Hendee, offensive lineman of the year; James Banks, offensive back of the year; Triston Jointer, defensive player of the year; Sean Jones, defensive lineman of the year; and Jeremy Chandler, defensive back of the year;*

*Whereas, Head Coach Dick Dullaghan's belief in hard work has inspired this Ben Davis team to even greater accomplishments;*

*Whereas, Coach Dullaghan has been coaching for 33 years, 29 of which have been at the high school level;*

*Whereas, Coach Dullaghan is the first coach in Indiana to be named the National High School Football Coach of the Year by the National Sports News Service in Tempe, Arizona;*

*Whereas, Coach Dullaghan is also the only coach in Indiana to win state championships at two different high schools—Carmel High School and Ben Davis High School;*

*Whereas, Coach Dullaghan has been the Indiana All-Star coach three times and has been inducted into the Indiana Football Hall of Fame;*

*Whereas, Coach Dullaghan and the members of the Ben Davis High School football team have accomplished much through hard work and determination; and*

*Whereas, The members of the Ben Davis High School football team combine the best of the qualities they have learned in the classroom and on the athletic field to achieve their goals and to become life-long learners and leaders in their communities: 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 wishes to congratulate the Ben Davis Giants on their recent state football championship and to encourage them to continue in their winning ways both on and off the field.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the members of the Ben Davis Giants, Head Coach Dick Dullaghan, the coaching staff, Principal Dr. James W. Mifflin, and Superintendent Dr. Terry Thompson.

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 Mills and Clark.

**House Concurrent Resolution 35**

Representatives V. Smith, Crawford, and Becker introduced House Concurrent Resolution 35:

A CONCURRENT RESOLUTION urging the establishment of an interim study committee to study the feasibility of establishing shelters for the homeless and the extent to which the lack of funding has aggravated the problem of homelessness.

*Whereas, The National Law Center on Homelessness and Poverty estimates have indicated that there are over 750,000 people homeless on any given night and up to 2 million people who experience homelessness during one year; and*

*Whereas, People are homeless because of a lack of affordable housing, incomes that are too low to pay for basic living expenses, and a lack of services to help people overcome personal challenges: 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 legislative council is urged to establish an interim study committee to study the feasibility of establishing shelters for the homeless and the extent to which the lack of funding has aggravated the problem of homelessness.

SECTION 2. That the committee, if established, shall study:

- (1) the feasibility of establishing shelters for the homeless; and
- (2) the extent to which the lack of funding has aggravated the problem of homelessness.

SECTION 3. That the committee, if established, shall operate under the direction of the legislative council and that the committee shall issue a final report when directed to do so by the council.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

**INTRODUCTION OF BILLS**

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

**ESB 2** — Denbo, Bauer, Burton, Mock (Public Policy, Ethics and Veterans Affairs)

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

**ESB 7** — Dvorak, Foley (Courts and Criminal Code)

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

**ESB 11** — Crawford, Bosma (Education)

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

**ESB 12** — Kuzman, Foley (Public Policy, Ethics and Veterans Affairs)

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

**ESB 24** — Dvorak, Foley (Courts and Criminal Code)

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

**ESB 41** — Grubb, Dillon (Courts and Criminal Code)

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

**ESB 45** — Denbo, M. Smith (Agriculture, Natural Resources and Rural Development)

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

**ESB 46** — Leuck, Kruse (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT concerning natural and cultural resources.

**ESB 73** — GiaQuinta, Dvorak, Alderman, Pond (Courts and Criminal Code)

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

**ESB 74** — Moses, Dvorak, Goeglein, Espich (Courts and Criminal Code)

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

**ESB 76** — Moses, GiaQuinta, Pond, Alderman (Ways and Means)

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

**ESB 77** — Mellinger, Cherry (Human Affairs)

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

**ESB 90** — Kuzman, Foley (Rules and Legislative Procedures)

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

**ESB 96** — C. Brown, Crosby (Public Health)

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

**ESB 114** — Kromkowski, Richardson, Whetstone (Elections and Apportionment)

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

**ESB 118** — Kromkowski, Richardson, Whetstone (Elections and Apportionment)

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

**ESB 134** — Crawford, Becker (Public Health)

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

**ESB 143** — T. Adams, Munson (Courts and Criminal Code)

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

**ESB 147** — Cook, Ayres, Ruppel (Courts and Criminal Code)

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

**ESB 162** — Porter, Becker (Education)

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

**ESB 204** — Lytle (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

**ESB 207** — Herrell, Dillon (Ways and Means)

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

**ESB 222** — Welch, Ripley, Stevenson (Courts and Criminal Code)

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

**ESB 268** — Welch, Saunders (Ways and Means)

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

**ESB 271** — Mellinger, Cherry (Courts and Criminal Code)

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

**ESB 317** — Sturtz, Wolkins (Environmental Affairs)

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

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1011, 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 bias crimes and criminal law.

Page 1, delete lines 1 through 17.

Delete pages 2 through 4.

Page 5, delete lines 1 through 27, begin a new paragraph and insert: "SECTION 1. IC 5-2-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Limited criminal history" means information with respect to any arrest, indictment, information, or other formal criminal charge, which must include a disposition. However, information about any arrest, indictment, information, or other formal criminal charge which occurred less than one (1) year before the date of a request shall be considered a limited criminal history even if no disposition has been entered.

(2) "**Bias crime**" means an offense in which the person who committed the offense knowingly or intentionally:

(A) selected the person who was injured; or

(B) damaged or otherwise affected property;

by the offense because of the color, creed, disability, national origin, race, religion, sex, or sexual orientation of the injured person or of the owner or occupant of the affected property.

(3) "Council" means the security and privacy council created under section 11 of this chapter.

~~(3)~~ (4) "Criminal history data" means information collected by criminal justice agencies, the United States Department of Justice for the department's information system, or individuals.

The term consists of the following:

(A) Identifiable descriptions and notations of arrests, indictments, informations, or other formal criminal charges.

(B) Information regarding an offender (as defined in IC 5-2-12-4) obtained through sex offender registration under IC 5-2-12.

(C) Any disposition, including sentencing, and correctional system intake, transfer, and release.

~~(4)~~ (5) "Criminal justice agency" means any agency or department of any level of government whose principal function is the apprehension, prosecution, adjudication, incarceration, probation, rehabilitation, or representation of criminal offenders, the location of parents with child support obligations under 42 U.S.C. 653, the licensing and regulating of riverboat gambling operations, or the licensing and regulating of pari-mutuel horse racing operations. The term includes the Medicaid fraud control unit for the purpose of investigating offenses involving Medicaid. The term includes a nongovernmental entity that performs as its principal function the:

(A) apprehension, prosecution, adjudication, incarceration, or rehabilitation of criminal offenders;

(B) location of parents with child support obligations under 42 U.S.C. 653;

(C) licensing and regulating of riverboat gambling operations; or

(D) licensing and regulating of pari-mutuel horse racing operations;

under a contract with an agency or department of any level of government.

~~(5)~~ (6) "Department" means the state police department.

~~(6)~~ (7) "Disposition" means information disclosing that criminal proceedings have been concluded or indefinitely postponed.

~~(7)~~ (8) "Inspection" means visual perusal and includes the right to make memoranda abstracts of the information.

~~(8)~~ (9) "Institute" means the Indiana criminal justice institute established under IC 5-2-6.

~~(9)~~ (10) "Law enforcement agency" means an agency or a department of any level of government whose principal function is the apprehension of criminal offenders.

~~(10)~~ (11) "Protective order" has the meaning set forth in IC 5-2-9-2.1.

~~(11)~~ (12) "Release" means the furnishing of a copy, or an edited copy, of criminal history data.

~~(12)~~ (13) "Reportable offenses" means all felonies and those Class A misdemeanors which the superintendent may designate.

~~(13)~~ (14) "Request" means the asking for release or inspection of a limited criminal history by noncriminal justice organizations or individuals in a manner which:

(A) reasonably ensures the identification of the subject of the inquiry; and

(B) contains a statement of the purpose for which the information is requested.

~~(14)~~ (15) "Unidentified person" means a deceased or mentally incapacitated person whose identity is unknown."

Page 5, line 31, delete "(as defined in IC 35-41-1-3.5)".

Page 5, line 38, after "agency." insert "A report submitted to a law enforcement agency under this subsection may not contain the name of a person who:

(1) committed or allegedly committed a bias crime; or

(2) was the victim or the alleged victim of a bias crime."

Page 6, between lines 2 and 3, begin a new paragraph and insert: "SECTION 3. IC 35-41-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. (a) As used in this section, "Indiana" includes:

(1) the area within the boundaries of the state of Indiana, as set forth in Article 14, Section 1 of the Constitution of the State of Indiana;

(2) the portion of the Ohio River on which Indiana possesses concurrent jurisdiction with the state of Kentucky under Article 14, Section 2 of the Constitution of the State of Indiana; and

(3) the portion of the Wabash River on which Indiana possesses concurrent jurisdiction with the state of Illinois under Article 14, Section 2 of the Constitution of the State of Indiana.

(b) A person may be convicted under Indiana law of an offense if: (1) either the conduct that is an element of the offense, the result that is an element, or both, occur in Indiana;

(2) conduct occurring outside Indiana is sufficient under Indiana law to constitute an attempt to commit an offense in Indiana;

(3) conduct occurring outside Indiana is sufficient under Indiana law to constitute a conspiracy to commit an offense in Indiana, and an overt act in furtherance of the conspiracy occurs in Indiana;

(4) conduct occurring in Indiana establishes complicity in the commission of, or an attempt or conspiracy to commit, an offense in another jurisdiction that also is an offense under Indiana law; or

(5) the offense consists of the omission to perform a duty imposed by Indiana law with respect to domicile, residence, or a relationship to a person, thing, or transaction in Indiana.

(c) **It shall be the policy of the state of Indiana to prosecute all crimes equally without regard to color, creed, disability, national origin, race, religion, or sex of the person who committed the offense, the injured person, or the owner or occupant of the affected property.**

(d) When the offense is homicide, either the death of the victim or bodily impact causing death constitutes a result under subsection (b)(1). If the body of a homicide victim is found in Indiana, it is presumed that the result occurred in Indiana."

Page 6, delete lines 3 through 42.

Delete pages 7 through 13.

(Reference is to HB 1011 as introduced.)  
and when so amended that said bill do pass.  
Committee Vote: yeas 12, nays 2.

VILLALPANDO, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1034, 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 JANUARY 1, 2001]".

Page 1, line 2, strike "nonprobationary".

Page 1, line 8, strike "nonprobationary".

Page 1, line 15, delete "nonprobationary".

Page 2, before line 1, begin a new paragraph and insert:

"SECTION 3. IC 9-24-17-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 7. (a) ~~Upon request the bureau shall make available to an individual who is less than eighteen (18) years of age an anatomical gift card that identifies the individual as an organ donor. Before issuing an individual who is less than eighteen (18) years of age may make an anatomical gift, card,~~ the bureau must obtain and document the consent required under section 8 of this chapter and the consent of the individual's parent or guardian.

(b) ~~The bureau may charge a fee to an individual obtaining making an anatomical gift card under subsection (a) section 1 of this chapter. The fee must equal an amount necessary to cover the cost of making available the anatomical a document that acknowledges the making of the gift. card."~~

Page 2, line 11, strike "operator's or chauffeur's" and insert "driver's".

Page 2, between lines 15 and 16, begin a new paragraph and insert: "SECTION 4. IC 29-2-16-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2. (a) Any individual:

(1) of sound mind and eighteen (18) years of age or more; or

(2) less than eighteen (18) years of age who obtains ~~an anatomical gift card~~ **the consent of the individual's parent or guardian as required** under IC 9-24-17-7;

may give all or any part of the individual's body for any purpose specified in section 3 of this chapter, the gift to take effect upon death. An individual may limit a gift made under this chapter or IC 9-24-17 to one (1) of the purposes specified in section 3 of this chapter. An individual may refuse to make a gift of all or part of the individual's body.

(b) Any of the following individuals, in order of priority stated when individuals in prior classes are not available at the time of death, and in the absence of actual notice of contrary indications by the decedent or actual notice of opposition by a member of the same or a prior class, may give all or any part of the decedent's body for any purpose specified in section 3 of this chapter:

(1) the spouse;

(2) a son or daughter, at least eighteen (18) years of age;

(3) either parent;

(4) a grandparent;

(5) a brother or sister, at least eighteen (18) years of age; or

(6) a guardian of the person of the decedent at the time of his death.

A gift made by an individual under this subsection may be revoked by an individual in the same or prior class as the individual making the gift, if the individual doing the removal of an organ receives notice of the revocation before the organ is removed. A failure to make a gift under this subsection is not an objection to the making of a gift, and an individual in a subsequent class may make a gift under this subsection.

(c) If the donee has actual notice of contrary indications by the decedent or that a gift by a member of a class if opposed by a member of the same or a prior class, the donee shall not accept the gift. The individuals authorized by subsection (b) may make the gift after or immediately before death.

(d) A gift of all or part of a body authorizes any examination necessary to assure medical acceptability of the gift for the purposes intended.

(e) The rights of the donee created by the gift are paramount to the rights of others except as provided by section 7(d) of this chapter."

Page 4, line 26, strike "operator's or chauffeur's" and insert "driver's".

Renumber all SECTIONS consecutively.

(Reference is to HB 1034 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 1.

COOK, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1067, 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 everything after the enacting clause and insert the following:

SECTION 1. IC 6-3.5-1.1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The county council of any county in which the county option income tax will not be in effect on July 1 of a year under an ordinance adopted during a previous calendar year may impose the county adjusted gross income tax on the adjusted gross income of county taxpayers of its county effective July 1 of that year.

(b) Except as provided in section 2.5, 2.7, or 3.5 of this chapter, the county adjusted gross income tax may be imposed at a rate of one-half of one percent (0.5%), three-fourths of one percent (0.75%), or one percent (1%) on the adjusted gross income of resident county taxpayers of the county. Any county imposing the county adjusted gross income tax must impose the tax on the nonresident county taxpayers at a rate of one-fourth of one percent (0.25%) on their adjusted gross income. If the county council elects to decrease the county adjusted gross income tax, the county council may decrease the county adjusted gross income tax rate in increments of one-tenth of one percent (0.1%).

(c) To impose the county adjusted gross income tax, the county council must, after January 1 but before April 1 of a year, adopt an ordinance. The ordinance must substantially state the following:

"The \_\_\_\_\_ County Council imposes the county adjusted gross income tax on the county taxpayers of \_\_\_\_\_ County. The county adjusted gross income tax is imposed at a rate of \_\_\_\_\_ percent (\_\_\_\_%) on the resident county taxpayers of the county and one-fourth of one percent (0.25%) on the nonresident county taxpayers of the county. This tax takes effect July 1 of this year."

(d) Any ordinance adopted under this section takes effect July 1 of the year the ordinance is adopted.

(e) The auditor of a county shall record all votes taken on ordinances presented for a vote under the authority of this section and immediately send a certified copy of the results to the department by certified mail.

(f) If the county adjusted gross income tax had previously been adopted by a county under IC 6-3.5-1 (before its repeal on March 15, 1983) and that tax was in effect at the time of the enactment of this chapter, then the county adjusted gross income tax continues in that county at the rates in effect at the time of enactment until the rates are modified or the tax is rescinded in the manner prescribed by this chapter. If a county's adjusted gross income tax is continued under this subsection, then the tax shall be treated as if it had been imposed under this chapter and is subject to rescission or reduction as authorized in this chapter.

SECTION 2. IC 6-3.5-1.1-2.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 2.7. (a) This section applies only to a county having a population of more than sixty-eight thousand (68,000) but less than seventy-three thousand (73,000).**

(b) The county council of a county described in subsection (a) may, by ordinance, determine that additional county adjusted gross income tax revenue is needed in the county to finance, construct, improve, or renovate the county jail and related buildings and parking facilities, including costs related to the demolition of existing buildings and the acquisition of land.

(c) Notwithstanding section 2 of this chapter, if the county council adopts an ordinance under subsection (b), the county council may impose the county adjusted gross income tax at a rate of one and twenty-five hundredths percent (1.25%) on adjusted gross income. However, a county may impose the county adjusted gross income tax at a rate of one and twenty-five hundredths percent (1.25%) only until the later of:

- (1) the time the construction, improvement, or renovation under subsection (b) is completed; or
- (2) the time any bonds issued or loans obtained to finance the construction, improvement, or renovation under subsection (b) are paid.

After the county has imposed the county adjusted gross income tax at a rate of one and twenty-five hundredths percent (1.25%) for the period allowed by this subsection, the rate is reduced to one percent (1%). If the county council imposes the county adjusted gross income tax at a rate of one and twenty-five hundredths percent (1.25%), the county council may decrease the rate or rescind the tax in the manner provided under this chapter.

(d) If a county imposes the county adjusted gross income tax at a rate of one and twenty-five hundredths percent (1.25%) under this section, the revenue derived from a tax rate of twenty-five hundredths percent (0.25%) on adjusted gross income:

- (1) shall be paid to the county treasurer;
- (2) may be used only for the purposes described in subsection (b);
- (3) may not be considered by the state board of tax commissioners in determining the county's maximum permissible property tax levy limit under IC 6-1.1-18.5; and
- (4) may be pledged by the county council to pay bonds issued or loans obtained by the county for the purposes described in subsection (b).

(e) A pledge under subsection (d):

- (1) applies only to bonds, loans, lease payments, or obligations that are issued, obtained, or incurred after the date the additional tax rate of twenty-five hundredths percent (0.25%) on adjusted gross income is imposed under this section; and
- (2) is enforceable under IC 5-1-14.4.

(f) With respect to obligations for which a pledge has been made under subsection (d), the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the additional tax rate of twenty-five hundredths percent (0.25%) on adjusted gross income tax imposed under this section if the payment of any of the obligations is outstanding.

SECTION 3. IC 6-3.5-1.1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) One-half (~~1/2~~) (1/2) of each adopting county's certified distribution for a calendar year shall be distributed from its account established under section 8 of this chapter to the appropriate county treasurer on May 1 and the other one-half (~~1/2~~) (1/2) on November 1 of that calendar year.

(b) Except for revenue that must be used to pay the costs of operating a jail and juvenile detention center under section 2.5(d) of this chapter, **revenue that must be used to pay the costs of construction, improvement, or renovation of a jail under section 2.7 of this chapter**, or revenue that must be used to pay the costs of operating and maintaining a jail and justice center under section 3.5(d) of this chapter, distributions made to a county treasurer under subsection (a) shall be treated as though they were property taxes that were due and payable during that same calendar year. The certified distribution shall be distributed and used by the taxing units and school corporations as provided in sections 11 through 15 of this chapter.

(c) All distributions from an account established under section 8 of this chapter shall be made by warrants issued by the auditor of the

state to the treasurer of the state ordering the appropriate payments.

SECTION 4. IC 6-3.5-1.1-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) Except for revenue that must be used to pay the costs of operating a jail and juvenile detention center under section 2.5(d) of this chapter, **revenue that must be used to pay the costs of construction, improvement, or renovation of a jail under section 2.7 of this chapter**, or revenue that must be used to pay the costs of operating and maintaining a jail and justice center under section 3.5(d) of this chapter, the certified distribution received by a county treasurer shall, in the manner prescribed in this section, be allocated, distributed, and used by the civil taxing units and school corporations of the county as certified shares and property tax replacement credits.

(b) Before August 2 of each calendar year, each county auditor shall determine the part of the certified distribution for the next succeeding calendar year that will be allocated as property tax replacement credits and the part that will be allocated as certified shares. The percentage of a certified distribution that will be allocated as property tax replacement credits or as certified shares depends upon the county adjusted gross income tax rate for resident county taxpayers in effect on August 1 of the calendar year that precedes the year in which the certified distribution will be received. The percentages are set forth in the following table:

COUNTY ADJUSTED GROSS INCOME TAX RATE	PROPERTY TAX REPLACEMENT CREDITS	CERTIFIED SHARES
0.5%	50%	50%
0.75%	33 1/3%	66 2/3%
1%	25%	75%

(c) The part of a certified distribution that constitutes property tax replacement credits shall be distributed as provided under sections 12, 13, and 14 of this chapter.

(d) The part of a certified distribution that constitutes certified shares shall be distributed as provided by section 15 of this chapter.

SECTION 5. IC 6-3.5-7-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Except as provided in subsection (c), the county economic development income tax may be imposed on the adjusted gross income of county taxpayers. The entity that may impose the tax is:

- (1) the county income tax council (as defined in IC 6-3.5-6-1) if the county option income tax is in effect on January 1 of the year the county economic development income tax is imposed;
- (2) the county council if the county adjusted gross income tax is in effect on January 1 of the year the county economic development tax is imposed; or
- (3) the county income tax council or the county council, whichever acts first, for a county not covered by subdivision (1) or (2).

To impose the county economic development income tax, a county income tax council shall use the procedures set forth in IC 6-3.5-6 concerning the imposition of the county option income tax.

(b) Except as provided in subsections (c) and (g), the county economic development income tax may be imposed at a rate of:

- (1) one-tenth percent (0.1%);
- (2) two-tenths percent (0.2%);
- (3) twenty-five hundredths percent (0.25%);
- (4) three-tenths percent (0.3%);
- (5) thirty-five hundredths percent (0.35%);
- (6) four-tenths percent (0.4%);
- (7) forty-five hundredths percent (0.45%); or
- (8) five-tenths percent (0.5%);

on the adjusted gross income of county taxpayers.

(c) Except as provided in subsection (h), ~~or~~ (i), **or (j)**, the county economic development income tax rate plus the county adjusted gross income tax rate, if any, that are in effect on January 1 of a year may not exceed one and twenty-five hundredths percent (1.25%). Except as provided in subsection (g), the county economic development tax rate plus the county option income tax rate, if any, that are in effect on January 1 of a year may not exceed one percent (1%).

(d) To impose the county economic development income tax, the appropriate body must, after January 1 but before April 1 of a year, adopt an ordinance. The ordinance must substantially state the following:

"The \_\_\_\_\_ County \_\_\_\_\_ imposes the county economic development income tax on the county taxpayers of \_\_\_\_\_ County. The county economic development income tax is imposed at a rate of \_\_\_\_\_ percent (\_\_\_\_%) on the county taxpayers of the county. This tax takes effect July 1 of this year."

(e) Any ordinance adopted under this section takes effect July 1 of the year the ordinance is adopted.

(f) The auditor of a county shall record all votes taken on ordinances presented for a vote under the authority of this section and immediately send a certified copy of the results to the department by certified mail.

(g) This subsection applies to a county having a population of more than one hundred twenty-nine thousand (129,000) but less than one hundred thirty thousand six hundred (130,600). In addition to the rates permitted by subsection (b), the:

(1) county economic development income tax may be imposed at a rate of:

(A) fifteen-hundredths percent (0.15%);

(B) two-tenths percent (0.2%); or

(C) twenty-five hundredths percent (0.25%); and

(2) county economic development income tax rate plus the county option income tax rate that are in effect on January 1 of a year may equal up to one and twenty-five hundredths percent (1.25%);

if the county income tax council makes a determination to impose rates under this subsection and section 22 of this chapter.

(h) For a county having a population of more than thirty-seven thousand (37,000) but less than thirty-seven thousand eight hundred (37,800), the county economic development income tax rate plus the county adjusted gross income tax rate that are in effect on January 1 of a year may not exceed one and thirty-five hundredths percent (1.35%) if the county has imposed the county adjusted gross income tax at a rate of one and one-tenth percent (1.1%) under IC 6-3.5-1.1-2.5.

(i) For a county having a population of more than twelve thousand six hundred (12,600) but less than thirteen thousand (13,000), the county economic development income tax rate plus the county adjusted gross income tax rate that are in effect on January 1 of a year may not exceed one and fifty-five hundredths percent (1.55%).

(j) For a county having a population of more than sixty-eight thousand (68,000) but less than seventy-three thousand (73,000), the county economic development income tax rate plus the county adjusted gross income tax rate that are in effect on January 1 of a year may not exceed one and five-tenths percent (1.5%).

SECTION 6. IC 6-9-34 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

#### Chapter 34. Crawford County Innkeeper's Tax

**Sec. 1. (a)** This chapter applies to a county having a population of more than nine thousand five hundred (9,500) but less than ten thousand (10,000) that adopted an innkeeper's tax under IC 6-9-18 before July 1, 2000.

(b) The:

(1) convention, visitor, and tourism promotion fund;

(2) convention and visitor commission;

(3) innkeeper's tax rate; and

(4) tax collection procedures;

established under IC 6-9-18 before July 1, 2000, remain in effect and govern the county's innkeeper's tax until an ordinance to impose the tax under this chapter is adopted by the county fiscal body.

(c) A member of the convention and visitor commission established by the county under IC 6-9-18 before July 1, 2000, shall serve a full term of office. If a vacancy occurs, the appointing authority shall appoint a qualified replacement as provided under this chapter. The appointing authority shall make other subsequent appointments to the commission as provided under this chapter.

**Sec. 2.** As used in this chapter, "executive" has the meaning set

forth in IC 36-1-2-5.

**Sec. 3.** As used in this chapter, "fiscal body" has the meaning set forth in IC 36-1-2-6.

**Sec. 4.** As used in this chapter, "gross retail income" has the meaning set forth in IC 6-2.5-1-5.

**Sec. 5.** As used in this chapter, "person" has the meaning set forth in IC 6-2.5-1-3.

**Sec. 6. (a)** The fiscal body of a county may levy a tax on every person engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room or rooms, lodgings, or accommodations in any:

(1) hotel;

(2) motel;

(3) boat motel;

(4) inn;

(5) college or university memorial union;

(6) college or university residence hall or dormitory;

(7) tourist cabin; or

(8) private campsite or private campground;

located in the county.

(b) The tax does not apply to gross income received in a transaction in which:

(1) a student rents lodgings in a college or university residence hall while that student participates in a course of study for which the student receives college credit from a college or university located in the county; or

(2) a person rents a room, lodging, or accommodations for a period of thirty (30) days or more.

(c) The tax may not exceed the rate of five percent (5%) on the gross retail income derived from lodging income only and is in addition to the state gross retail tax imposed under IC 6-2.5.

(d) The county fiscal body may adopt an ordinance to require that the tax be reported on forms approved by the county treasurer and that the tax shall be paid monthly to the county treasurer. If such an ordinance is adopted, the tax shall be paid to the county treasurer not more than twenty (20) days after the end of the month in which the tax is collected. If such an ordinance is not adopted, the tax shall be imposed, paid, and collected in exactly the same manner as the state gross retail tax is imposed, paid, and collected under IC 6-2.5.

(e) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration are applicable to the imposition and administration of the tax imposed under this section except to the extent those provisions are in conflict or are inconsistent with the specific provisions of this chapter or the requirements of the county treasurer. If the tax is paid to the department of state revenue, the return to be filed for the payment of the tax under this section may be either a separate return or may be combined with the return filed for the payment of the state gross retail tax as the department of state revenue may, by rule, determine.

(f) If the tax is paid to the department of state revenue, the amounts received from the tax imposed under this section shall be paid monthly by the treasurer of state to the county treasurer upon warrants issued by the auditor of state.

**Sec. 7. (a)** If a tax is levied under section 6 of this chapter, the county treasurer shall establish a convention, visitor, and tourism promotion fund. The county treasurer shall deposit in this fund all amounts the county treasurer receives under that section.

(b) In a county in which a commission has been established under section 8 of this chapter, the county auditor shall issue a warrant directing the county treasurer to transfer money from the convention, visitor, and tourism promotion fund to the commission's treasurer if the commission submits a written request for the transfer.

(c) Money in a convention, visitor, and tourism promotion fund, or money transferred from such a fund under subsection (b), may be expended only to promote and encourage conventions, visitors, and tourism within the county. Expenditures under this subsection may include, but are not limited to, expenditures for advertising, promotional activities, trade shows, special events, and recreation.

(d) If before July 1, 1997, a county issues a bond with a pledge of

revenues from the tax imposed under IC 6-9-18-3, the county shall continue to expend money from the fund for that purpose until the bond is paid.

Sec. 8. (a) If a tax is levied under section 6 of this chapter, the county executive shall create a commission to promote the development and growth of the convention, visitor, and tourism industry in the county. If two (2) or more adjoining counties desire to establish a joint commission, the counties shall enter into an agreement under IC 36-1-7.

(b) The county executive shall determine the number of members, which must be an odd number, to be appointed to the commission. A simple majority of the members must be:

- (1) engaged in a convention, visitor, or tourism business; or
- (2) involved in or promoting conventions, visitors, or tourism.

If available and willing to serve, at least two (2) of the members must be engaged in the business of renting or furnishing rooms, lodging, or accommodations (as described in section 6 of this chapter). Not more than one (1) member may be affiliated with the same business entity. Not more than a simple majority of the members may be affiliated with the same political party. Each member must reside in the county. The county executive shall determine who will make the appointments to the commission. However, the executive of the largest municipality in the county shall appoint a number of the members of the commission, determined by taking the same ratio to the total size of the commission (rounded off to the nearest whole number) that the population of the largest municipality bears to the total population of the county.

(c) If a municipality other than the largest municipality in the county collects fifty percent (50%) or more of the tax revenue collected under this chapter during the three (3) month period following imposition of the tax, the executive of the municipality shall appoint the same number of members to the commission that the executive of the largest municipality in the county appoints under subsection (b).

(d) Except as provided in subsection (c), all terms of office of commission members begin on January 1. Initial appointments must be for staggered terms, with subsequent appointments for two (2) year terms. A member whose term expires may be reappointed to serve another term. If a vacancy occurs, the appointing authority shall appoint a qualified person to serve for the remainder of the term. If an initial appointment is not made by February 1 or a vacancy is not filled within thirty (30) days, the commission shall appoint a member by majority vote.

(e) A member of the commission may be removed for cause by the member's appointing authority.

(f) Members of the commission may not receive a salary. However, commission members are entitled to reimbursement for necessary expenses incurred in the performance of their respective duties.

(g) Each commission member, before entering the member's duties, shall take an oath of office in the usual form, to be endorsed upon the member's certificate of appointment and promptly filed with the clerk of the circuit court of the county.

(h) The commission shall meet after January 1 for the purpose of organization. It shall elect one (1) of its members president, another vice president, another secretary, and another treasurer. The members elected to those offices shall perform the duties pertaining to the offices. The first officers chosen shall serve from the date of their election until their successors are elected and qualified. A majority of the commission constitutes a quorum, and the concurrence of a majority of the commission is necessary to authorize any action.

Sec. 9. (a) The commission may:

- (1) accept and use gifts, grants, and contributions from any public or private source, under terms and conditions that the commission considers necessary and desirable;
- (2) sue and be sued;
- (3) enter into contracts and agreements;
- (4) make rules necessary for the conduct of its business and the accomplishment of its purposes;
- (5) receive and approve, alter, or reject requests and proposals for funding by corporations qualified under subdivision (6);

(6) after its approval of a proposal, transfer money, quarterly or less frequently, from the fund established under section 7(a) of this chapter, or from money transferred from that fund to the commission's treasurer under section 7(b) of this chapter, to an Indiana nonprofit corporation to promote and encourage conventions, visitors, or tourism in the county; and

(7) require financial or other reports from a corporation that receives funds under this chapter.

(b) All expenses of the commission shall be paid from the fund established under section 7(a) of this chapter or from money transferred from that fund to the commission's treasurer under section 7(b) of this chapter. The commission shall annually prepare a budget, taking into consideration the recommendations made by a corporation qualified under subsection (a)(6) and submit it to the county fiscal body for its review and approval. An expenditure may not be made under this chapter unless it is in accordance with an appropriation made by the county fiscal body in the manner provided by law.

Sec. 10. All money coming into possession of the commission shall be deposited, held, secured, invested, and paid in accordance with statutes relating to the handling of public funds. The handling and expenditure of money coming into possession of the commission is subject to audit and supervision by the state board of accounts.

Sec. 11. (a) A member of the commission who knowingly approves:

- (1) the transfer of money to any person or corporation not qualified under law for that transfer; or
- (2) a transfer for a purpose not permitted under law;

commits a Class D felony.

(b) A person who receives a transfer of money under this chapter and knowingly uses that money for any purpose not permitted under this chapter commits a Class D felony.

SECTION 7. [EFFECTIVE UPON PASSAGE] (a) Notwithstanding IC 6-3.5-1.1-3, the county council of a county described in IC 6-3.5-1.1-2.7, as added by this act, may adopt an ordinance to increase the county's county adjusted gross income tax rate after the April 1 deadline provided in IC 6-3.5-1.1-3(a).

(b) This SECTION expires January 1, 2001.

SECTION 8. An emergency is declared for this act.

(Reference is to HB 1067 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 1.

BAUER, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1135, 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 9-24-7-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. A learner's permit authorizes the permit holder to operate a motor vehicle, except a motorcycle, upon a public highway under the following conditions:

- (1) While the holder is participating in practice driving in an approved driver education course and is accompanied by a certified driver education instructor in the front seat of an automobile equipped with dual controls.
- (2) If the learner's permit has been validated and the holder is less than eighteen (18) years of age, the holder may participate in practice driving if the seat beside the holder is occupied by a guardian or relative of the holder who:
  - (A) is at least twenty-one (21) years of age; and
  - (B) holds a valid operator's, chauffeur's, or public passenger chauffeur's license.
- (3) If the learner's permit has been validated and the holder is at least eighteen (18) years of age, the holder may participate in practice driving if accompanied in the vehicle by an individual who:

(A) is at least twenty-one (21) years of age; and

(B) holds a valid operator's, chauffeur's, or public passenger chauffeur's license.

(4) While:

(A) the holder is enrolled in an approved driver education course;

(B) the holder is participating in practice driving after having commenced an approved driver education course; and

(C) the seat beside the holder is occupied by a parent or guardian of the holder who:

(1) is at least twenty-one (21) years of age; and

(2) holds a valid operator's, chauffeur's, or public passenger chauffeur's license."

Page 3, line 12, after "(d)" insert ",".

Page 3, line 12, delete "or (f)".

Page 3, strike lines 34 through 38.

Page 3, line 39, strike "(2) meets the requirements of subsection".

Page 3, line 39, delete "(e)".

Page 3, line 40, strike "(g)" and insert "(f)".

Page 3, line 41, after "(d)" delete ",".

Page 3, line 41, strike "(e), or (f)".

Page 3, line 42, delete "(h)" and insert "(g)".

Page 4, between lines 10 and 11, begin a new paragraph and insert: "SECTION 3. [EFFECTIVE UPON PASSAGE] (a) **Notwithstanding IC 9-27-4-5.5, as amended by this act, the professional standards board shall amend its rules concerning the driver and traffic safety endorsement to reflect the requirements for a Level One and Level Two instructor's license as set forth in IC 9-27-4-5.5, as amended by this act.**

(b) **This SECTION expires on the earlier of the following:**

(1) **The dates rules are adopted under IC 9-27-4-5.5, as amended by this act.**

(2) **January 1, 2001.**

Renumber all SECTIONS consecutively.

(Reference is to HB 1135 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

COOK, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1197, 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 2.

C. BROWN, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1239, 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.

MELLINGER, Vice Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1253, 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.

C. BROWN, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1265, 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 23, delete "in writing." and insert ":".

Page 2, between lines 23 and 24, begin a new line double block indented and insert:

"(A) in writing; or

(B) an electronic transaction, if the parties have agreed to conduct transactions electronically, and the information is:

(i) provided, sent, or delivered, as the case may be, in an electronic record; and

(ii) capable of retention by the recipient at the time the information is received."

Page 2, line 27, delete "arbitration and mediation." and insert "alternative dispute resolution with the costs of the alternative dispute resolution paid equally by each party."

Page 2, between lines 27 and 28, begin a new line block indented and insert:

"(4) Provide that:

(A) Indiana law governs and controls the contract; and

(B) venue for any actions concerning the contract must lie in a county in Indiana where at least one (1) party resides."

Page 2, line 28, delete "(4)" and insert "(5)".

Page 3, delete lines 35 through 36.

Page 3, line 37, delete "(M)" and insert "(K)".

Page 3, line 39, delete "11(4)" and insert "11(5)".

Page 4, line 28, delete "11(4)" and insert "11(5)".

(Reference is to HB 1265 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

VILLALPANDO, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1276, 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 17, nays 1.

BAUER, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1290, 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 5, after "if" delete ":".

Page 1, line 6, delete "(1)".

Page 1, run in lines 5 through 6.

Page 1, line 8, delete "; and" and insert ".".

Page 1, delete lines 9 through 10.

Page 1, line 14, reset in roman "five (5)" and delete "ten (10)".

Page 2, line 6, delete "only".

Page 2, line 7, delete "under" and insert "that the person be imprisoned for at least ten (10) days".

Page 2, line 8, delete "subdivision (1)(A)".

Page 2, line 12, delete "In" and insert "Except as provided in subsection (d), in".

Page 2, line 24, reset in roman "at least".

Page 2, line 24, delete "exactly".

Page 2, line 25, delete "However, the court shall issue an order".

Page 2, delete lines 26 through 40, begin a new paragraph and insert:

"(d) In addition to any criminal penalty imposed for an offense under this chapter, if a child who is less than sixteen (16) years of

age was a passenger in the vehicle at the time the person committed the offense under this chapter, the court shall order:

- (1) that the person be imprisoned for at least:
- (A) thirty (30) days if the person has two (2) and not more than two (2) previous convictions of operating while intoxicated; and
- (B) ninety (90) days if the person has at least three (3) previous convictions of operating while intoxicated; and
- (2) that the person receive an assessment of the person's degree of alcohol and drug abuse and, if appropriate, successfully complete an alcohol or drug abuse treatment program, including an alcohol deterrent program if the person suffers from alcohol abuse."

(Reference is to HB 1290 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

DVORAK, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1317, 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 "a suspension or"

Page 3, delete lines 23 through 33.

Renumber all SECTIONS consecutively

Page 4, line 12, delete "a suspension or".

Page 4, between lines 17 and 18, begin a new line block indented and insert:

"(4) A correspondence course.

(5) A cooperative program with another school corporation.

(6) A program under the supervision of the judicial system.".

Page 4, line 18, delete "(4)" and insert "(7)".

Page 4, between lines 19 and 20, begin a new paragraph and insert:

"(c) A grant program is established to assist in the funding of educational programs for expelled students. The department of education shall:

(1) distribute grants under this section at the time that the department distributes alternative education program grants under IC 21-3-11; and

(2) provide grants from money appropriated for alternative education program grants under IC 21-3-11.

The amount of the grant to each school corporation shall equal the number of expelled students receiving educational services from the school corporation multiplied by the per pupil amount provided by the alternative education program grant under IC 21-3-11. However, a student who is counted for purposes of receiving an alternative education grant may not count for purposes of determining the amount of a grant under this section."

Page 4, line 20, delete "(c)" and insert "(d)".

Page 4, line 24, after "24." insert "(a)".

Page 4, line 25, strike "or expelled".

Page 4, line 26, reset in roman "school".

Page 4, line 26, delete "the educational".

Page 4, line 27, delete "program to which the student is assigned".

Page 4, line 28, reset in roman "not".

Page 4, between lines 29 and 30, begin a new paragraph and insert:

"(b) If a student is expelled from a school or from any educational function under this chapter, the student's absence from the educational program to which the student is assigned because of the expulsion is a violation of IC 20-8.1-3 or any other statute relating to compulsory school attendance."

Page 12, line 2, delete "a suspension or".

(Reference is to HB 1317 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

PORTER, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1344, 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 18, nays 2.

BAUER, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1354, 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 6 and 7, begin a new line double block indented and insert:

"(E) The organization agrees to pay the ad valorem property taxes on the organization's real and personal property that would otherwise be exempt under IC 6-1.1-10.

(F) The organization does not receive any deductions from the assessed value of the organization's real and personal property under IC 6-1.1-12 or IC 6-1.1-12.1.

(G) The organization pays all of the organization's ad valorem property taxes to the taxing units in the taxing district in which the project is located.".

(Reference is to HB 1354 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

BAUER, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1375, 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, delete lines 15 through 21.

(Reference is to HB 1375 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

BAUER, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1386, 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 everything after the enacting clause and insert the following:

SECTION 1. IC 6-1.1-10-29.1 IS ADDED OT THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: **Sec. 29.1. (a) As used in this section, "manufacturer" or "processor" means a person that performs an operation or continuous series of operations on raw materials, goods, or other personal property to alter the raw materials, goods, or other personal property into a new or changed state or form. The operation may be performed by hand, machinery, or a chemical process directed or controlled by an individual.**

**(b) Personal property owned by a manufacturer or processor is exempt from property taxation if the owner is able to show by adequate records that the personal property:**

**(1) is not exempt under any other law; and**

**(2) will be used in an operation or a continuous series of operations to alter the personal property into a new or changed state or form and the resulting personal property will be shipped, or will be incorporated into personal property that will be shipped, to an out-of-state destination.**

(c) The amount of the exemption under this section is equal to the product of:

- (1) the appropriate percentage specified in subsection (d); multiplied by
- (2) the assessed value of personal property covered by this section.

(d) The percentage described in subsection (c)(1) is determined by the calendar year that the personal property return is filed and is set forth in the following table:

CALENDAR YEAR	PERCENTAGE
2001	10%
2002	20%
2003	30%
2004	40%
2005	50%
2006	60%
2007	70%
2008	80%
2009	90%
2010 and thereafter	100%

(e) A person may use an allocation percentage to claim an exemption under this section for a portion of the person's personal property if a person's business records substantiate that the allocation percentage accurately reflects the portion of the personal property that will be altered into a new or changed state or form and then will be shipped, or will be incorporated into personal property that will be shipped, to an out-of-state destination. The percentage may include personal property that will be sold to another processor or manufacturer if the personal property will be incorporated into the personal property of the buyer and that personal property will be shipped out-of-state.

(f) A manufacturer or processor that possesses personal property owned by another person may claim an exemption under this section if:

- (1) the manufacturer or processor includes the property on the manufacturer's or processor's personal property tax return; and
- (2) the manufacturer or processor is able to show that the owner of the personal property would otherwise have qualified for an exemption under subsection (b).

SECTION 2. [EFFECTIVE JULY 1, 2000] IC 6-1.1-10-29.1, as added by this act, applies to property taxes first due and payable after December 31, 2001.

(Reference is to HB 1386 as introduced.)  
and when so amended that said bill do pass.  
Committee Vote: yeas 20, nays 0.

BAUER, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1387, 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 20 with "[EFFECTIVE JULY 1, 2001]".

Page 2, between lines 29 and 30, begin a new line block indented and insert:

"(6) All respiratory care practices that require the exercise of independent clinical judgment."

Page 2, line 35, after "6." insert "(a)".

Page 2, between lines 41 and 42, begin a new paragraph and insert:  
"(b) The rules proposed under subsection (a)(4) must include a designation of the tasks that do not require the exercise of independent clinical judgment.

(c) Unlicensed individuals may only perform tasks that do not require the exercise of independent clinical judgment when under the direct supervision of a licensed respiratory care practitioner.

SECTION 5. IC 25-34.5-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. The board shall adopt

rules under IC 4-22-2 establishing:

- (1) standards for the competent practice of respiratory care under the direct supervision of a physician licensed under IC 25-22.5, **including a designation of the tasks that do not require the exercise of independent clinical judgment;**
- (2) fees for the administration of this article; and
- (3) standards for the administration of this article;

after considering rules proposed by the committee."

Page 9, line 32, delete "2000" and insert "2001".

Page 9, line 34, delete "2000" and insert "2001".

Page 10, line 1, delete "2002" and insert "2003".

Page 10, line 2, after "2000]" insert "(a)".

Page 10, after line 5, begin a new paragraph and insert:

"(b) Notwithstanding IC 25-34.5-2-10, the medical licensing board shall accept continuing education courses in the following areas toward fulfillment of the requirements under IC 25-34.5-2-10(a):

- (1) Management of the practice of respiratory care.
- (2) Courses concerning the practice of respiratory care that enable individuals to teach continuing education courses for respiratory care practitioners.

(c) This SECTION expires July 1, 2001."

Renumber all SECTIONS consecutively.

(Reference is to HB 1387 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

C. BROWN, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1410, 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 12, delete "'False" refers to a written instrument that purports to have".

Page 4, delete lines 13 through 21.

Page 4, line 22, delete "(i)".

Page 4, run in lines 12 through 22.

Page 4, line 27, delete "(j)" and reset in roman "(i)".

Page 4, line 28, delete "(k)" and reset in roman "(j)".

Page 4, line 31, delete "(l)" and reset in roman "(k)".

Page 4, line 34, delete "(m)" and reset in roman "(l)".

Page 4, line 37, delete "(n)" and reset in roman "(m)".

Page 4, line 42, delete "(o)" and reset in roman "(n)".

Page 5, line 15, delete "(p)" and reset in roman "(o)".

Page 5, line 18, delete "(q)" and reset in roman "(p)".

Page 5, line 22, delete "(r)" and reset in roman "(q)".

Page 5, line 34, delete "Class D felony" and insert "Class A misdemeanor".

Page 5, line 34, delete "Class C" and insert "Class D".

(Reference is to HB 1410 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

DVORAK, Chair

Report adopted.

#### OTHER BUSINESS ON THE SPEAKER'S TABLE

##### Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bill 1253 had been referred to the Committee on Ways and Means.

The Speaker announced that the referral of House Bill 1293 to the Committee on Ways and Means, pursuant to House Rule 127, had been withdrawn.

#### HOUSE BILLS ON SECOND READING

The following bills were called down by their respective authors, were read a second time by title, and, there being no amendments,

were ordered engrossed: House Bills 1009, 1202, 1241, 1283, 1300, 1319, 1376, and 1418.

### House Bill 1380

Representative T. Adams called down House Bill 1380 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 1380-2)

Mr. Speaker: I move that House Bill 1380 be amended to read as follows:

Page 3, after line 10, begin a new line block indented and insert:  
**"(2) be elected by secret ballot by the Purdue University faculty senate."**

Page 3, delete lines 11 through 13.  
 (Reference is to HB 1380 as printed January 25, 2000.)

SCHOLER

Motion prevailed.

#### HOUSE MOTION (Amendment 1380-1)

Mr. Speaker: I move that House Bill 1380 be amended to read as follows:

Page 6, between lines 5 and 6, begin a new paragraph and insert:  
**"SECTION 10. IC 20-12-61-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. (a) Ivy Tech State College shall be governed by a board of trustees, composed of ~~thirteen (13)~~ fourteen (14) members. Thirteen (13) members shall be appointed by the governor, and one (1) nonvoting member of the faculty of Ivy Tech State College shall be elected under subsection (b). Each member of the state board must have knowledge or experience in one (1) or more of the following areas:**

- (1) Manufacturing.
- (2) Commerce.
- (3) Labor.
- (4) Agriculture.
- (5) State and regional economic development needs.
- (6) Indiana's educational delivery system.

At least one (1) trustee must reside in each region established under section 9(4) of this chapter. **Except for the elected faculty member under subsection (b), appointments shall be for three (3) year terms, on a staggered basis.**

**(b) One (1) nonvoting member of the board of trustees shall:**

- (1) be a member of the faculty of Ivy Tech State College who holds the rank of assistant professor or higher;**
- (2) be elected by secret ballot by all Ivy Tech State College employees who hold the rank of assistant professor or higher;**
- (3) serve a three (3) year term beginning July 1, or if a vacancy occurs for the remainder of the unexpired term of the previous faculty trustee; and**
- (4) be eligible for reelection as faculty trustee if the person remains a member of the faculty of Ivy Tech State College.**

~~(b)~~ **(c) No one who holds an elective or appointed office of the state is eligible to serve as a member of the state board. A member of a regional board may be appointed to the state board, but must then resign from the regional board.**

**SECTION 11. IC 20-12-61-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 6. (a) Except as provided by section 4(b) of this chapter, the governor shall fill all vacancies on the state board. Each trustee appointed to fill a vacancy shall represent the same region as ~~his~~ the trustee's predecessor.**

**(b) If a vacancy occurs on the state board, the regional board for the region in which the former member resided may recommend to the governor one (1) or more qualified persons to fill the vacancy."**

Renumber all SECTIONS consecutively.  
 (Reference is to HB 1380 as printed January 25, 2000.)

KERSEY

Motion prevailed. The bill was ordered engrossed.

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

### House Bill 1305

Representative Richardson called down House Bill 1305 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 1305-1)

Mr. Speaker: I move that House Bill 1305 be amended to read as follows:

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

**SECTION 1. IC 8-17-1-45 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 45. (a) Each county is responsible for the construction, reconstruction, maintenance, and operation of the roads, including the ditches and signs for those roads, making up its southern and eastern boundaries.**

**(b) The county executives of two (2) adjoining counties may enter into an agreement under IC 36-1-7 for the construction, reconstruction, maintenance, or operation of any road or part of a road that makes up the boundary between the two (2) counties. In addition to the requirements of IC 36-1-7-3, an agreement under this section must provide for the following:**

- (1) The division of costs between the counties.
- (2) The schedule for the work.
- (3) The method of resolving disputes concerning the agreement if any arise.
- (4) Any other terms the counties consider necessary.

Renumber all SECTIONS consecutively.  
 (Reference is to HB 1305 as printed January 25, 2000.)

FOLEY

Motion prevailed. The bill was ordered engrossed.

### House Bill 1213

Representative Weinzapfel called down House Bill 1213 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 1213-2)

Mr. Speaker: I move that House Bill 1213 be amended to read as follows:

Page 7, line 36, delete "(IC35-43-4-3)" and insert "(IC 35-43-4-3)".

Page 16, line 32 after "explosive"" insert ", **for the purposes of IC 35-47.5-1, IC 35-47.5-2, IC 35-47.5-3, IC 35-47.5-4-7, and IC 35-47.5-5,"**.

Page 16, between lines 35 and 36, begin a new paragraph and insert:

**"(b) "Regulated explosive" for purposes of IC 35-47.5-4-1, IC 35-47.5-4-2, IC 35-47.5-4-3, IC 35-47.5-4-4, IC 35-47.5-4-5, and IC 35-47.5-4-6, means an explosive."**

Page 16, line 36, delete "(b)" and insert "(c)".

(Reference is to HB 1213 as printed January 21, 2000.)

WEINZAPFEL

Motion prevailed.

#### HOUSE MOTION (Amendment 1213-3)

Mr. Speaker: I move that House Bill 1213 be amended to read as follows:

Page 4, between lines 33 and 34, begin a new paragraph and insert:  
**"SECTION 4. IC 22-12-6-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 15. (a) As used in this section, "credit card" means a bank card, debit card, charge card, prepaid card, or other similar device used for payment.**

**(b) In addition to other methods of payment allowed by law, the department may accept payment by credit card for certifications, licenses, and fees, and other amounts payable to the following:**

- (1) The department.
- (2) The state emergency management agency.
- (3) The public safety institute.
- (4) The fire prevention and building safety commission.
- (5) The regulated amusement device safety board.

- (6) The boiler and pressure vessel rules board.
- (7) The Indiana emergency management, fire and building services, and public safety training foundation.
- (8) The office of the state fire marshal.
- (9) The office of the state building commissioner.

(c) The department may enter into appropriate agreements with banks or other organizations authorized to do business in Indiana to enable the department to accept payment by credit card.

(d) The department may recognize net amounts remitted by the bank or other organizations as payment in full of amounts due the department.

(e) The department may pay any applicable credit card service charge or fee."

Page 7, line 36, delete "(IC35-43-4-3)" and insert "(IC 35-43-4-3)".  
Re-number all SECTIONS consecutively.

(Reference is to HB 1213 as printed January 21, 2000.)

WEINZAPFEL

Motion prevailed. The bill was ordered engrossed.

### House Bill 1051

Representative Thompson called down House Bill 1051 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 1051-1)

Mr. Speaker: I move that House Bill 1051 be amended to read as follows:

Page 4, between lines 38 and 39, begin a new paragraph and insert:  
"SECTION 5. IC 9-24-11-3, AS AMENDED BY P.L.225-1999, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 3. (a) A license issued to an individual less than eighteen (18) years of age is a probationary license.

(b) An individual holds a probationary license subject to the following conditions:

(1) Except as provided in IC 31-37-3-1, the individual may not operate a motor vehicle during the curfew hours specified in IC 31-37-3-2.

(2) During the ninety (90) days following the issuance of the probationary license, the individual may not operate a motor vehicle in which there are passengers, **unless the passenger is the individual's sibling over the age of fifteen (15)**, unless another individual who:

(A) is at least twenty-one (21) years of age; and

(B) holds a valid operator's license issued under this article; is present in the front seat of the motor vehicle.

(3) The individual may operate a motor vehicle only if the individual and each occupant of the motor vehicle has a safety belt properly fastened about the occupant's body at all times when the motor vehicle is in motion.

(c) An individual who holds a probationary license issued under this section may receive an operator's license, a chauffeur's license, a public passenger chauffeur's license, or a commercial driver's license when the individual is at least eighteen (18) years of age.

(d) A probationary license issued under this section:

(1) is valid for not more than four (4) years from the date the license is issued; and

(2) may not be renewed."

Re-number all SECTIONS consecutively.

(Reference is to HB1051 as printed January 25, 2000.)

RUPPEL

Motion prevailed.

#### HOUSE MOTION (Amendment 1051-5)

Mr. Speaker: I move that House Bill 1051 be amended to read as follows:

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

"SECTION 1. IC 9-14-3.5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. As used in this chapter, "motor vehicle record" means a record that pertains to:

(1) an operator's a driver's license;

(2) a permit;

(3) a motor vehicle registration;

(4) a motor vehicle title; or

(5) an identification document issued by the bureau.

SECTION 2. IC 9-14-3.5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 5. As used in this chapter, "personal information" means information that identifies a person, including an individual's:

(1) photograph or computerized image;

(2) Social Security number;

(3) driver's license or identification document number;

(4) name;

(5) address (but not the 5-digit zip code);

(6) telephone number; or

(7) medical or disability information.

The term does not include information about vehicular accidents, driving or equipment related violations, and operator's license or registration status.

SECTION 3. IC 9-14-3.5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 7. Except as provided in sections 8, through 10, and 11 of this chapter;

(1) an officer or employee of the bureau;

(2) an officer or employee of the bureau of motor vehicles commission; or

(3) an officer, an employee, or a contractor of the bureau or the bureau of motor vehicles commission;

may not knowingly disclose personal information about a person obtained by the bureau in connection with a motor vehicle record."

Page 1, delete lines 1 through 16.

Page 3, between lines 37 and 38, begin a new line blocked left and insert:

"However, this section shall not affect the use of anatomical gift information on a person's driver's license or identification document issued by the bureau, nor affect the administration of anatomical gift initiatives in the state".

Page 4, line 23, after "10(11)" insert ", 10(12)".

Page 4, line 23, reset in roman "11".

Page 4, line 23, after "11" delete "10(12)".

Page 11, line 26 delete "IC 9-24-18-5 IS" and insert "THE FOLLOWING ARE".

Page 11, line 27, delete "." and insert ": IC 9-14-3.5-9; IC 9-24-18-5".

Re-number all SECTIONS consecutively.

(Reference is to HB 1051 as printed January 25, 2000.)

THOMPSON

Motion prevailed.

#### HOUSE MOTION (Amendment 1051-3)

Mr. Speaker: I move that House Bill 1051 be amended to read as follows:

Page 4, between lines 38 and 39, begin a new paragraph and insert:  
"SECTION 5. IC 9-24-7-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. A learner's permit authorizes the permit holder to operate a motor vehicle, except a motorcycle, upon a public highway under the following conditions:

(1) While the holder is participating in practice driving in an approved driver education course and is accompanied by a certified driver education instructor in the front seat of an automobile equipped with dual controls.

(2) If the learner's permit has been validated and the holder is less than eighteen (18) years of age, the holder may participate in practice driving if the seat beside the holder is occupied by a guardian or relative of the holder who holds a valid operator's, chauffeur's, or public passenger chauffeur's license. **license and is at least twenty-one (21) years of age.**

(3) If the learner's permit has been validated and the holder is at least eighteen (18) years of age, the holder may participate in practice driving if accompanied in the vehicle by an individual who holds a valid operator's, chauffeur's, or public passenger chauffeur's license.

(4) While:

- (A) the holder is enrolled in an approved driver education course;
- (B) the holder is participating in practice driving after having commenced an approved driver education course; and
- (C) the seat beside the holder is occupied by a parent or guardian of the holder who holds a valid operator's, chauffeur's, or public passenger chauffeur's license."

Renumber all SECTIONS consecutively.

(Reference is to HB1051 as printed January 25, 2000.)

THOMPSON

After discussion, Representative Thompson withdrew the motion.

There being no further amendments, the bill was ordered engrossed.

### House Bill 1036

Representative Bodiker called down House Bill 1036 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 1036-1)

Mr. Speaker: I move that House Bill 1036 be amended to read as follows:

Page 1, line 9, delete "during a school year or".

(Reference is to HB 1036 as printed January 25, 2000.)

BODIKER

Motion prevailed.

HOUSE MOTION  
(Amendment 1036-2)

Mr. Speaker: I move that House Bill 1036 be amended to read as follows:

Page 2, line 26, after "cause" insert ".".

Page 2, line 26, delete "including the best interest of".

Page 2, line 27, delete "the school corporation".

(Reference is to HB 1036 as printed January 26, 2000.)

BODIKER

Motion prevailed. The bill was ordered engrossed.

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

### House Bill 1010

Representative Bodiker called down House Bill 1010 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 1010-1)

Mr. Speaker: I move that House Bill 1010 be amended to read as follows:

Page 2, between lines 16 and 17, begin a new paragraph and insert the following:

"SECTION 3. IC 33-16-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 7. ~~No person, being an officer in any corporation or association possessed of any banking powers, shall act as a notary public in the business of such corporation or association. The aforesaid prohibition shall not apply to employees of any such corporation or association. However, a person who is a shareholder or member of a savings association may act as a notary public in the business of such association and an officer and employee of a bank may become and act as a notary public in the business of the bank.~~ No person holding any lucrative office or appointment under the United States or under this state, and prohibited by the Constitution of this state from holding more than one (1) such lucrative office, shall serve as a notary public, and his acceptance of any such office shall vacate his appointment as such notary; but this provision shall not apply to any person holding any lucrative office or appointment under any civil or school city or town of this state. No person, being a public official, or a deputy or appointee acting for or serving under the same, shall make any charge for services as a notary public in connection with any official business of such office, or of any other office in the governmental

unit in which such persons are serving, unless such charges are specifically authorized by some statute other than the statute fixing generally the fees and charges of notaries public."

Renumber all SECTIONS consecutively.

(Reference is to HB 1010 as printed January 25, 2000.)

BODIKER

Motion prevailed. The bill was ordered engrossed.

### House Bill 1013

Representative V. Smith called down House Bill 1013 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 1013-1)

Mr. Speaker: I move that House Bill 1013 be amended to read as follows:

Page 6, after line 9, begin a new paragraph and insert:

"SECTION 3. IC 11-13-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) A person sentenced under IC 35-50 shall be released on parole or discharged from the person's term of imprisonment under IC 35-50 without a parole release hearing.

(b) A person sentenced for an offense under laws other than IC 35-50 who is eligible for release on parole, or a person whose parole is revoked and is eligible for reinstatement on parole under rules adopted by the parole board shall, before the date of the person's parole eligibility, be granted a parole release hearing to determine whether parole will be granted or denied. The hearing shall be conducted by one (1) or more of the parole board members. If one (1) or more of the members conduct the hearing on behalf of the parole board, the final decision shall be rendered by the full parole board based upon the record of the proceeding and the hearing conductor's findings. Before the hearing, the parole board shall order an investigation to include the collection and consideration of:

- (1) reports regarding the person's medical, psychological, educational, vocational, employment, economic, and social condition and history;
- (2) official reports of the person's history of criminality;
- (3) reports of earlier parole or probation experiences;
- (4) reports concerning the person's present commitment that are relevant to the parole release determination;
- (5) any relevant information submitted by or on behalf of the person being considered; and
- (6) such other relevant information concerning the person as may be reasonably available.

(c) Unless the victim has requested in writing not to be notified, the department shall notify a victim of a felony (or the next of kin of the victim if the felony resulted in the death of the victim) or any witness involved in the prosecution of an offender imprisoned for the commission of a felony when the offender is:

- (1) to be discharged from imprisonment;
- (2) to be released on parole under IC 35-50-6-1;
- (3) to have a parole release hearing under this chapter;
- (4) to have a parole violation hearing;
- (5) an escaped committed offender; or
- (6) to be released from departmental custody under any temporary release program administered by the department, including the following:
  - (A) Placement on minimum security assignment to a program authorized by IC 11-10-1-3 or IC 35-38-3-6 and requiring periodic reporting to a designated official, including a regulated community assignment program.
  - (B) Assignment to a minimum security work release ~~program~~ **program; or**

**(7) to be released from departmental custody under a community transition program authorized by IC 11-10-11.5**

(d) The department shall make the notification required under subsection (c):

- (1) at least forty (40) days before a discharge, release, or hearing occurs; and
- (2) not later than twenty-four (24) hours after the escape of a committed offender.

The department shall supply the information to a victim (or a next of kin of a victim in the appropriate case) and a witness at the address supplied to the department by the victim (or next of kin) or witness. A victim (or next of kin) is responsible for supplying the department with any change of address or telephone number of the victim (or next of kin).

(e) The probation officer conducting the presentence investigation shall inform the victim and witness described in subsection (c), at the time of the interview with the victim or witness, of the right of the victim or witness to receive notification from the department under subsection (c). The probation department for the sentencing court shall forward the most recent list of the addresses or telephone numbers, or both, of victims to the department of correction. The probation department shall supply the department with the information required by this section as soon as possible but not later than five (5) days from the receipt of the information from the victim. A victim (or next of kin) is responsible for supplying the department with the correct address and telephone number of the victim (or next of kin).

(f) Notwithstanding IC 11-8-5-2 and IC 4-1-6, an inmate may not have access to the name and address of a victim and a witness. Upon the filing of a motion by any person requesting or objecting to the release of victim information, witness information, or both that is retained by the department, the court shall review the information that is the subject of the motion in camera before ruling on the motion.

(g) The notice required under subsection (c) must specify whether the prisoner is being discharged, is being released on parole, is having a parole release hearing, is having a parole violation hearing, or has escaped. The notice must contain the following information:

- (1) The name of the prisoner.
- (2) The date of the offense.
- (3) The date of the conviction.
- (4) The felony of which the prisoner was convicted.
- (5) The sentence imposed.
- (6) The amount of time served.
- (7) The date and location of the interview (if applicable).

(h) The parole board shall adopt rules under IC 4-22-2 and make available to offenders the criteria considered in making parole release determinations. The criteria must include the:

- (1) nature and circumstances of the crime for which the offender is committed;
- (2) offender's prior criminal record;
- (3) offender's conduct and attitude during the commitment; and
- (4) offender's parole plan.

(i) The hearing prescribed by this section may be conducted in an informal manner without regard to rules of evidence. In connection with the hearing, however:

- (1) reasonable, advance written notice, including the date, time, and place of the hearing shall be provided to the person being considered;
- (2) the person being considered shall be given access, in accord with IC 11-8-5, to records and reports considered by the parole board in making its parole release decision;
- (3) the person being considered may appear, speak in the person's own behalf, and present documentary evidence;
- (4) irrelevant, immaterial, or unduly repetitious evidence shall be excluded; and
- (5) a record of the proceeding, to include the results of the parole board's investigation, notice of the hearing, and evidence adduced at the hearing, shall be made and preserved.

(j) If parole is denied, the parole board shall give the person written notice of the denial and the reasons for the denial. The parole board may not parole a person if it determines that there is substantial reason to believe that the person:

- (1) will engage in further specified criminal activity; or
- (2) will not conform to appropriate specified conditions of parole.

(k) If parole is denied, the parole board shall conduct another parole release hearing not earlier than five (5) years after the date of the hearing at which parole was denied. However, the board may conduct a hearing earlier than five (5) years after denial of parole if the

board:

- (1) finds that special circumstances exist for the holding of a hearing; and
- (2) gives reasonable notice to the person being considered for parole.

(l) The parole board may parole a person who is outside Indiana on a record made by the appropriate authorities of the jurisdiction in which that person is imprisoned.

(m) If the board is considering the release on parole of an offender who is serving a sentence of life in prison, a determinate term of imprisonment of at least ten (10) years, or an indeterminate term of imprisonment with a minimum term of at least ten (10) years, in addition to the investigation required under subsection (b) the board shall order and consider a community investigation, which must include an investigation and report that substantially reflects the attitudes and opinions of:

- (1) the community in which the crime committed by the offender occurred;
- (2) law enforcement officers who have jurisdiction in the community in which the crime occurred;
- (3) the victim of the crime committed by the offender, or if the victim is deceased or incompetent for any reason, the victim's relatives or friends; and
- (4) friends or relatives of the offender.

(n) As used in this section, "victim" means a person who has suffered direct harm as a result of a violent crime (as defined in IC 5-2-6.1-8)."

(Reference is to HB 1013 as printed January 25, 2000.)

BECKER

Motion prevailed. The bill was ordered engrossed.

Representative Turner was excused for the rest of the day.

## ENGROSSED HOUSE BILLS ON THIRD READING

### Engrossed House Bill 1419

Representative Grubb called down Engrossed House Bill 1419 for third reading:

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

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

Roll Call 94: yeas 95, 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 Harrison and Breaux.

### Engrossed House Bill 1371

Representative Porter called down Engrossed House Bill 1371 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 95: yeas 48, nays 47. The bill failed for lack of a constitutional majority.

Representative Lytle was excused.

### Engrossed House Bill 1352

Representative Crawford called down Engrossed House Bill 1352 for third reading:

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

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

Roll Call 96: yeas 89, 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 Johnson and Rogers.

### Engrossed House Bill 1351

Representative Crawford called down Engrossed House Bill 1351 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 97: yeas 87, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Clark and Howard.

### Engrossed House Bill 1368

Representative V. Smith called down Engrossed House Bill 1368 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.

#### HOUSE MOTION (Amendment 1368-2)

Mr. Speaker: I move that Engrossed House Bill 1368 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, line 15, delete "IC" and insert "IC".

Page 2, line 11, delete "A school".

Page 2, delete lines 12 through 15.

Page 2, run in lines 11 and 16.

Page 2, line 16, delete "shall" and insert "**of a school corporation may**".

Page 2, line 17, delete "shall" and insert "**may**".

Page 2, line 21, delete "The".

Page 2, delete lines 22 through 39.

Page 2, line 40, delete "(c)" and insert "**(b)**".

Page 3, line 9, delete "(d)" and insert "**(c)**".

Page 3, line 12, delete "(c)" and insert "**(b)**".

(Reference is to HB 1368 as printed January 20, 2000.)

V. SMITH

#### HOUSE MOTION

Mr. Speaker: I move that Engrossed House Bill 1368 be made a special order of business for Monday, January 31, 2000, at noon.

HERRELL

Motion prevailed.

Representative Lytle was again present.

### Engrossed House Bill 1343

Representative Wolkins called down Engrossed House Bill 1343 for third reading:

A BILL FOR AN ACT concerning environmental law.

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

Roll Call 98: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Gard and Simpson.

### Engrossed House Bill 1334

Representative Bardon called down Engrossed House Bill 1334 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 99: yeas 87, 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 sponsor: Senator Clark.

### Engrossed House Bill 1316

Representative L. Lawson called down Engrossed House Bill 1316 for third reading:

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

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

Roll Call 100: yeas 93, 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 Craycraft and Landske.

### Engrossed House Bill 1297

Representative Weinzapfel called down Engrossed House Bill 1297 for third reading:

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

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

Roll Call 101: yeas 94, 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 sponsor: Senator Server.

Representative Kruzan, who had been excused, was present.

### Engrossed House Bill 1275

Representative GiaQuinta called down Engrossed House Bill 1275 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 102: 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 sponsor: Senator R. Meeks.

### Engrossed House Bill 1267

Representative Frenz called down Engrossed House Bill 1267 for third reading:

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

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

Roll Call 103: yeas 87, nays 9. 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 Riegsecker, Waterman, and Hume.

### **Engrossed House Bill 1231**

Representative Avery called down Engrossed House Bill 1231 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 104: yeas 85, nays 7. 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 Wyss, Hume, and Server.

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

### **Engrossed House Bill 1228**

Representative Moses called down Engrossed House Bill 1228 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 105: 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 Long and Lewis.

### **Engrossed House Bill 1222**

Representative Ripley called down Engrossed House Bill 1222 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.

#### HOUSE MOTION (Amendment 1222-1)

Mr. Speaker: I move that Engrossed House Bill 1222 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 6, line 42, delete "July 1, 2002;" and insert "**January 1, 2003;**".

(Reference is to HB 1222 as printed January 14, 2000.)

RIPLEY

There being a two-thirds vote in favor of the motion, the motion prevailed.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred Engrossed House Bill 1222, begs leave to report that said bill has been amended as directed.

RIPLEY

Report adopted.

The question then was, Shall the bill pass? Representative Steele was excused from voting.

Roll Call 106: yeas 93, 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 sponsor: Senator Zakas.

### **Engrossed House Bill 1215**

Representative Whetstone called down Engrossed House Bill 1215 for third reading:

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

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

Roll Call 107: yeas 64, 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 sponsor: Senator Simpson.

### **Engrossed House Bill 1182**

Representative Kersey called down Engrossed House Bill 1182 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 108: 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 Bray and Blade.

### **Engrossed House Bill 1167**

Representative Summers called down Engrossed House Bill 1167 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 109: yeas 51, nays 47. 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 Howard.

### **Engrossed House Bill 1151**

Representative Fry called down Engrossed House Bill 1151 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 110: yeas 92, 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 Paul and Washington.

### **Engrossed House Bill 1143**

Representative M. Smith called down Engrossed House Bill 1143 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 111: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Paul and Lewis.

**Engrossed House Bill 1066**

Representative Welch called down Engrossed House Bill 1066 for third reading:

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

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

Roll Call 112: yeas 87, nays 8. 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 Miller and Simpson.

**Engrossed House Bill 1395**

Representative Bottorff called down Engrossed House Bill 1395 for third reading:

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

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

Roll Call 113: yeas 94, 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 Simpson and Mills.

**Engrossed House Bill 1397**

Representative Bottorff called down Engrossed House Bill 1397 for third reading:

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

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

Roll Call 114: yeas 93, 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 sponsor: Senator Lubbers.

**Engrossed House Bill 1329**

Representative Kruzan called down Engrossed House Bill 1329 for third reading:

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

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

Roll Call 115: 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 Miller and Simpson.

**Engrossed House Bill 1330**

Representative Kruzan called down Engrossed House Bill 1330 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 116: yeas 94, 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 and Simpson.

**REPORTS FROM COMMITTEES****COMMITTEE REPORT**

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1104, 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 committee report of the Committee on Labor and Employment adopted January 25, 2000.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 5-10-12-2, AS ADDED BY P.L.195-1999, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 2. As used in this chapter, "state agency" means an authority, board, branch, commission, committee, department, division, or other instrumentality of state government, but does not include:

(1) a state educational institution (as defined in IC 20-12-0.5-1);

**and**

(2) a state elected official's office. **and**

**(3) the legislative and judicial branches of state government.**

SECTION 2. IC 5-10-12-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: **Sec. 7. If an employee dies while employed by a state agency:**

**(1) the employee's designated beneficiary; or**

**(2) the employee's estate, if the employee does not have a designated beneficiary;**

**shall be paid an amount that would have been deposited under section 5 of this chapter if the employee had retired effective the day the employee died.**

(Reference is to HB 1104 as introduced and as amended by the committee report of the Committee on Labor and Employment adopted January 25, 2000.)

and when so amended that said bill do pass.

Committee Vote: yeas 20, nays 0.

BAUER, Chair

Report adopted.

**COMMITTEE REPORT**

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1130, 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 9, after "indices" insert ".".

Page 2, line 9, delete "and the conversion factor established by 405".

Page 2, delete line 10.

Page 2, line 15, after "Anesthesiology" insert ".".

Page 2, delete lines 16 and 17, begin a new paragraph and insert:

**"(c) The office shall use a conversion factor so that the estimated additional cost does not exceed two million dollars (\$2,000,000) or a cost that does not exceed a level approved by the budget director."**

Page 2, line 18, delete "(c)" and insert "(d)".

Page 2, line 38, after "indices" insert ".".

Page 2, line 38, delete "and the conversion factor established by 405".

Page 2, delete line 39.

Page 3, line 2, after "Anesthesiology" insert ".".

Page 3, line 2, delete "and a".

Page 3, delete lines 3 through 4.

Page 3, line 5, delete "annually in" and insert "**not more frequently than every two (2) years."**

Page 3, delete line 6.

(Reference is to HB 1130 as printed January 21, 2000)

and when so amended that said bill do pass.

Committee Vote: yeas 20, nays 0.

BAUER, Chair

Report adopted.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1146, 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 6, delete "one million two" and insert "**five**".

Page 1, line 6, delete "fifty".

Page 1, line 7, delete "\$1,250,000" and insert "**(\$500,000)**".

Page 1, line 8, delete "twenty" and insert "**eight**".

Page 1, line 9, delete "\$20,000,000" and insert "**(\$8,000,000)**".

(Reference is to HB 1146 as printed January 25, 2000.)

and when so amended that said bill do pass.

Committee Vote: yeas 22, nays 0.

BAUER, Chair

Report adopted.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1270, 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 Ways and Means, to which was referred House Bill 1271, 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 higher education financial assistance.

Page 3, line 17, after "request," insert "**In determining the amount of an individual's benefit, the Indiana department of veterans' affairs shall consider other higher education financial assistance as provided in section 2 of this chapter.**".

Page 3, between lines 26 and 27, begin a new paragraph and insert: "SECTION 2. IC 20-12-19-2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE AUGUST 1, 2000]: Sec. 2. The amount of the benefits under this chapter is equal to one (1) of the following amounts:**

**(1) If the applicant does not receive financial assistance specifically designated for tuition and mandatory fees, the amount determined under section 1 of this chapter.**

**(2) If the applicant receives financial assistance specifically designated for tuition and mandatory fees:**

**(A) the amount determined under section 1 of this chapter; minus**

**(B) the financial assistance specifically designated for tuition and mandatory fees.**

SECTION 3. IC 20-12-19.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE AUGUST 1, 2000]: Sec. 1. (a) The children of:

(1) regular, paid law enforcement officers;

(2) regular, paid firefighters;

(3) volunteer firefighters under IC 36-8-12-2;

(4) county police reserve officers; or

(5) city police reserve officers;

who have been killed in the line of duty shall not be required to pay tuition or **other required mandatory** fees at any state supported college, university, or technical school, so long as the children are under the age of twenty-three (23) and are full-time students pursuing a prescribed course of study.

(b) The surviving spouse of a:

(1) regular, paid law enforcement officer;

(2) regular, paid firefighter;

(3) volunteer firefighter under IC 36-8-12-2;

(4) county police reserve officer; or

(5) city police reserve officer;

who has been killed in the line of duty may not be required to pay tuition or **other required mandatory** fees at any state supported college, university, or technical school, so long as the surviving spouse is pursuing a prescribed course of study at the institution towards an undergraduate degree.

(c) This section applies to the children and surviving spouse of a:

(1) regular, paid law enforcement officer;

(2) regular, paid firefighter;

(3) volunteer firefighter under IC 36-8-12-2;

(4) county police reserve officer; or

(5) city police reserve officer;

if the public safety officer described in this subsection was killed in the line of duty before, on, or after July 1, 1993.

SECTION 4. IC 20-12-19.5-2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE AUGUST 1, 2000]: Sec. 2. The amount of the benefits under this chapter is equal to one (1) of the following amounts:**

**(1) If the applicant does not receive financial assistance specifically designated for tuition and mandatory fees, the amount determined under section 1 of this chapter.**

**(2) If the applicant receives financial assistance specifically designated for tuition and mandatory fees:**

**(A) the amount determined under section 1 of this chapter; minus**

**(B) the financial assistance specifically designated for tuition and mandatory fees.**

SECTION 5. IC 20-12-74-7, AS ADDED BY P.L.186-1999, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 7. (a) Money in the national guard tuition supplement program fund shall be used to provide annual tuition scholarships to scholarship applicants who qualify under this chapter in an amount that is equal to one (1) of the following amounts:

(1) If the scholarship applicant does not receive other financial assistance specifically designated for tuition and ~~other regularly assessed mandatory~~ fees, the amount equal to a full tuition scholarship to attend the state educational institution.

(2) If the scholarship applicant receives other financial assistance specifically designated for tuition and ~~other regularly assessed mandatory~~ fees, the amount:

(A) equal to the balance required to attend the state educational institution; and

(B) not to exceed the amount described in subdivision (1).

(b) Each tuition scholarship awarded under this chapter:

(1) may be renewed under this chapter for a total scholarship award that does not exceed the equivalent of eight (8) semesters; and

(2) that is renewable under this chapter is subject to other eligibility criteria as established by the commission.

SECTION 6. [EFFECTIVE AUGUST 1, 1999 (RETROACTIVE)]: **IC 20-12-19-1, as added by this act, applies to a student enrolled at a state educational institution after July 31, 1999.**

SECTION 7. [EFFECTIVE AUGUST 1, 2000] **IC 20-12-19-2, 20-12-19.5-1, IC 20-12-19.5-2, and IC 20-12-74-7, all as amended or added by this act, apply to a student enrolled at a state educational institution after July 31, 2000.**

Renumber all SECTIONS consecutively.

(Reference is to HB 1271 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 19, nays 0.

BAUER, Chair

Report adopted.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1279, 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 courts and court officers and family and juvenile law.

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

"SECTION 1. IC 33-2.1-12-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 5. (a) The program must provide financial assistance in the form of an annual living expense stipend for those students who successfully complete the course of study and become certified graduates of the program.

(b) To be eligible for the annual stipend, certified graduates must be admitted to an Indiana law school, enroll on a full-time basis, and maintain good academic standing. **However, for good cause and to advance the purposes of the program, the advisory committee may waive the requirement that a certified graduate must enroll on a full-time basis.**

(c) The stipend may be awarded for up to three (3) successive academic years, if the student remains eligible. **However, for good cause, the advisory committee may approve the award of a stipend to a student for more than three (3) successive academic years if:**

- (1) the student requires more than three (3) successive academic years to earn a law degree; and
- (2) the total amount of the stipend that is awarded to the student does not exceed the amount the student would have been awarded if the student had been enrolled:

- (A) on a full-time basis; and
- (B) for up to three (3) successive academic years."

Renumber all SECTIONS consecutively.

(Reference is to HB 1279 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

VILLALPANDO, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1385, 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 42, reset in roman "twenty".

Page 3, line 42, delete "thirty".

Page 3, line 42, reset in roman "\$20)".

Page 3, line 42, delete "\$30)".

Page 3, line 42, strike "or".

Page 4, line 2, after "organization" delete "." and insert "; or".

Page 4, between lines 2 and 3, begin a new line block indented and insert:

**"(3) thirty dollars (\$30) if the employee participates in the responsible retail permittee program established under IC 7.1-3-1.5."**

Page 4, line 15, after "." insert **"Money in the fund must be used to administer the responsible retail permittee program and may be used to compensate excise officers."**

Page 4, line 19, delete "IC 7.1-4-1-38" and insert **"IC 7.1-4-1-38(a)(3)"**.

(Reference is to HB 1385 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 19, nays 0.

BAUER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1393, 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 housing.

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 39.

Page 4, delete lines 16 through 18.

Page 4, line 19, delete "Sec. 15." and insert **"Sec. 14."**

Page 4, line 21, delete "Sec. 16." and insert **"Sec. 15."**

Page 4, line 25, delete "Sec. 17." and insert **"Sec. 16."**

Page 4, line 29, delete "Sec. 18." and insert **"Sec. 17."**

Page 4, between lines 35 and 36, begin a new paragraph and insert: **"Sec. 18. (a) An eligible entity shall establish an affordable housing fund advisory committee consisting of the following nine (9) members:**

**(1) One (1) member appointed by the executive of the eligible entity to represent the interests of low income families.**

**(2) One (1) member appointed by the executive of the eligible entity to represent the interests of owners of subsidized, multifamily housing communities.**

**(3) One (1) member appointed by the executive of the eligible entity to represent the interests of banks and other financial institutions.**

**(4) One (1) member appointed by the executive of the eligible entity to represent the interests of the eligible entity.**

**(5) Five (5) members appointed by the legislative body of the eligible entity to represent the community at large. Members appointed under this subdivision must be nominated to the legislative body after a general call for nominations from neighborhood associations, community based organizations, and other social services agencies.**

**(b) Members of the affordable housing 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 that 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 that appointed the committee member.**

**(c) The affordable housing fund advisory committee shall make recommendations to the eligible entity regarding:**

**(1) the development of policies and procedures for the uses of the affordable housing fund; and**

**(2) long term sources of capital for the affordable housing 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."**

Page 5, delete lines 3 through 33.

Renumber all SECTIONS consecutively.

(Reference is to HB 1393 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 22, nays 0.

BAUER, Chair

Report adopted.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

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

BODIKER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cheney be added as coauthor of House Bill 1036.

BODIKER

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Stevenson be added as coauthor of House Bill 1099.

MELLINGER

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Ulmer be added as coauthor of House Bill 1115.

DILLON

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representatives Ayres and Steele be added as coauthors of House Bill 1137.

VILLALPANDO

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Kruse be added as coauthor of House Bill 1152.

DILLON

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Mock be added as coauthor of House Bill 1180.

DENBO

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representatives Mangus and Dvorak be added as coauthors of House Bill 1213.

WEINZAPFEL

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 Bauer, Frenz, Dillon, Welch, Denbo, and Stilwell be added as coauthors of House Bill 1230

AVERY

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 coauthors and that Representative Duncan be added as coauthor of House Bill 1237

HERRELL

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 Scholer be added as coauthor of House Bill 1248.

LYTLE

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representatives M. Young, Leuck, and Kersey be added as coauthors of House Bill 1269.

TINCHER

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Villalpando be added as coauthor of House Bill 1279.

POND

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 Budak, Leuck, and Steele be added as coauthors of House Bill 1295

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 Representatives Budak, Leuck, and Kersey be added as coauthors of House Bill 1302.

TINCHER

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Frizzell be added as coauthor of House Bill 1311.

MOSES

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 Avery and Murphy be added as coauthors of House Bill 1312

C. BROWN

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 Kruse be added as coauthor of House Bill 1344.

BUELL

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 Representative Klinker be added as coauthor of House Bill 1351

CRAWFORD

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 Leuck be added as coauthor of House Bill 1373.

BAUER

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 Representative Ruppel be added as coauthor of House Bill 1385

KLINKER

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 Crawford and Kruse be added as coauthors of House Bill 1393.

HASLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative J. Lutz be added as coauthor of House Bill 1395.

BOTTORFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative J. Lutz be added as coauthor of House Bill 1397.

BOTTORFF

Motion prevailed.

On the motion of Representative Mock the House adjourned at 3:55 p.m., this twenty-seventh day of January, 2000, until Monday, January 31, 2000, at 11:00 a.m.

JOHN R. GREGG

Speaker of the House of Representatives

LEE SMITH

Principal Clerk of the House of Representatives