



Journal of the House

State of Indiana

111th General Assembly

Second Regular Session

Nineteenth Meeting Day

Monday Morning

February 7, 2000

The House convened at 11:00 a.m. with the Speaker in the Chair.

The invocation was offered by Rabbi Samuel Weingart, Temple Israel, West Lafayette, the guest of Representative Sue W. Scholer.

The Pledge of Allegiance to the Flag was led by Representative Jesse M. Villalpando.

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 177: 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.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, February 9, 2000, at 1:00 p.m.

LIGGETT

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 22 and 38 and the same are herewith returned to the House.

CAROLYN J. TINKLE
Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 31 and the same is herewith transmitted to the House for further action.

CAROLYN J. TINKLE
Secretary of the Senate

RESOLUTIONS ON FIRST READING

House Resolution 17

Representative V. Smith introduced House Resolution 17:

A HOUSE RESOLUTION to honor Sheriff John Buncich.

Whereas, John Buncich was born in Gary, Indiana.

Whereas, John Buncich has been the sheriff of Lake County since 1995;

Whereas, John Buncich has served the public for 29 years as a law enforcement officer;

Whereas, John Buncich has devoted special attention to the needs of senior citizens and developed effective programs to serve those needs;

Whereas, John Buncich started Camp Buncich, to implement programs for interracial harmony; and

Whereas, As Sheriff of Lake County John Buncich has developed numerous effective programs to better serve the people of Lake County, including professional shore patrols, High Intensity Drug Task Activity, Canine Patrols, and Helicopter patrols: Therefore,

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

SECTION 1. The Indiana General Assembly congratulates Sheriff John Buncich for his contributions to the betterment of society and appreciates his life of service to Indiana.

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

Senate Concurrent Resolution 31

The Speaker handed down Senate Concurrent Resolution 31,

sponsored by Representative Bardon:

A CONCURRENT RESOLUTION to recognize Indiana's Asian American Community as it celebrates the Lunar New Year Day of February 5, 2000.

Whereas, The Lunar New Year is the week of February 5-24, 2000;

Whereas, The first day of Lunar New Year is February 5, 2000;

Whereas, The Lunar New Year is an important holiday and part of Asian American culture;

Whereas, Cultural diversity is a strength of this nation;

Whereas, Indiana is committed to cultural diversity and celebrating our cultural diversity is important to our community: Therefore,

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

SECTION 1. That the Indiana General Assembly hereby recognizes the importance to the Asian American Community of Indiana as it celebrates February 5, 2000 as "Lunar New Year Day".

SECTION 2. That the Secretary of the Senate transmit copies of this resolution to the Indiana Association of Chinese Americans.

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.

Representative Kruzan, Robertson, and Stilwell were excused.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1379

Representative T. Adams called down Engrossed House Bill 1379 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 178: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Craycraft.

Engrossed House Bill 1230

Representative Avery called down Engrossed House Bill 1230 for third reading:

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

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

Roll Call 179: 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 R. Meeks, Lanane, R. Young, and Simpson.

Engrossed House Bill 1373

Representative Bauer called down Engrossed House Bill 1373 for third reading:

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

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

Roll Call 180: yeas 90, 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 Mills and Simpson.

Representative Kruzan was again present.

Engrossed House Bill 1290

Representative M. Young called down Engrossed House Bill 1290 for third reading:

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

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

Roll Call 181: yeas 89, 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 sponsor: Senator Clark.

Roll Call 182 was a machine test and will not be printed.

Representative Kruzan was excused.

Engrossed House Bill 1022

Representative Cochran called down Engrossed House Bill 1022 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representatives T. Adams, Alderman, Cook, Herrell, L. Lawson, Mellinger, and Sturtz were excused from voting.

Roll Call 183: yeas 72, nays 16. 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 Sipes.

Representative Kruzan was present.

Engrossed House Bill 1278

Representative Day called down Engrossed House Bill 1278 for third reading:

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

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

Roll Call 184: 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 Wyss and Alexa.

Representatives Becker, Robertson, and Stilwell, who had been excused, were present.

Engrossed House Bill 1180

Representative Denbo called down Engrossed House Bill 1180 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 185: yeas 93, 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 K. Adams and Craycraft.

Representatives Robertson and Stilwell were excused.

Engrossed House Bill 1192

Representative Dickinson called down Engrossed House Bill 1192 for third reading:

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

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

Roll Call 186: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Clark and Simpson.

Engrossed House Bill 1168

Representative Duncan called down Engrossed House Bill 1168 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? On the motion of Representative Bailey the previous question was called.

Roll Call 187: yeas 88, 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 Wolf, Nugent, Jackman, and Rogers.

Representative Robertson again was present.

Engrossed House Bill 1326

Representative Dvorak called down Engrossed House Bill 1326 for third reading:

A BILL FOR AN ACT 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 188: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Simpson, Bray, and Kenley.

Representative Stilwell again was present.

Engrossed House Bill 1268

Representative Frenz called down Engrossed House Bill 1268 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 189: yeas 91, 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 Borst and Hume.

Engrossed House Bill 1265

Representative Friend called down Engrossed House Bill 1265 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 190: yeas 99, 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 Nugent, Weatherwax, Lewis, and Wolf.

Engrossed House Bill 1150

Representative Fry called down Engrossed House Bill 1150 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 191: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Paul and Simpson.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 3:30 p.m. with the Speaker Pro Tempore, Representative Dobis, in the Chair.

RESOLUTIONS ON FIRST READING

House Resolution 18

Representatives Kruzan and Welch introduced House Resolution 18:

A HOUSE RESOLUTION to congratulate the Bloomington High School South Physics Team for achieving first place status in the Regional Engineering Design Challenge competition and to wish them good luck and continued success as they participate in the National Engineering Design Challenge sponsored by the Junior Engineering Technical Society.

Whereas, The State of Indiana takes great pride in recognizing and honoring significant accomplishments and contributions of Indiana youth;

Whereas, The Bloomington High School South Physics Team competed in the Regional Engineering Design Challenge in Chicago, Illinois;

Whereas, The team designed and built a portable shelter which can house up to four adults and withstand all extreme elements;

Whereas, The design is intended to be used as an emergency shelter which could be air-lifted into natural disaster areas;

Whereas, The team effort of Matt Childress, Chris Kenrick, Daniel Konstanski, Brandon Mitchner, and Lindsay Sparks, was continually demonstrated through their hard work, determination and commitment to complete the task;

Whereas, Under the leadership and guidance of Cindy Kvale, the team earned, and was awarded, first place status in regional competition;

Whereas, The regional success of the Bloomington High School South Physics Team allows them the honor of representing the City of Bloomington and the State of Indiana in national competition;

Whereas, Under the supervision of Cindy Kvale and Tim Abts, the team will travel to Washington, D.C. in February of the year 2000, to participate in the National Engineering Design Challenge sponsored by the Junior Engineering Technical Society; and

Whereas, Academic accomplishments of this caliber deserve special recognition: Therefore,

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

SECTION 1. That the Indiana House of Representatives wishes to congratulate the Bloomington High School South Physics Team for earning first place status in the Regional Engineering Design Challenge competition and wishes them good luck and continued success as they participate in the National Engineering Design Challenge.

SECTION 2. That the principal clerk of the House of Representatives shall transmit a copy of this resolution to members of the Bloomington High School South Physics Team and educators, Cindy Kvale and Tim Abts.

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

House Resolution 19

Representatives V. Smith, C. Brown, Harris, Crawford, Dickinson, Summers, and Porter introduced House Resolution 19:

A HOUSE RESOLUTION honoring Rev. Dr. Carlton F. Davis.

Whereas, Dr. Carlton F. Davis is the Pastor of the New Hope Missionary Baptist Church in Gary, Indiana, and received his Masters of Divinity at Southern Baptist Theological Seminary in Louisville, KY and his Doctors of Ministry Degrees at Trinity Evangelical Divinity School in Deerfield, Illinois;

Whereas, Under the leadership and inspiration of Dr. Carlton F. Davis this church has become one of the fastest growing churches in the Midwest region;

Whereas, In October, 1999, Dr. Carlton F. Davis spearheaded New Hope's first Soul Winning Crusade, which touched over 7,000 homes in Gary, and helped make Gary, Indiana the City of Hope;

Whereas, In addition to his service as pastor of the New Hope church, Dr. Carlton F. Davis also serves the community of Gary, Indiana as a member of the Board of Directors of the Gary Ministers Alliance, the Rainbow Coalition Second Chance Foundation, the African American Religious Conference, the Urban League, One Church One School, and as a counselor to Gary Community School Corporation and the Gary City Court;

Whereas, Dr. Carlton F. Davis was named as the "Hebrew and Greek Scholar" of the year 1998-1999, and is a lecturer and panelist on the weekly International Sunday School television program;

Whereas, Dr. Carlton F. Davis will have soon issued six editions of the "Global Sunday School Hebrew and Greek Study Guide Dictionary," which has brought clarity and understanding to the scriptures;

Whereas, Dr. Carlton F. Davis will celebrate 26 years in the Gospel Ministry on February 17, 2000, during which time he made powerful contributions to the life of congregations and communities in Louisville, Kentucky and Chicago, Illinois and Gary, Indiana;

Whereas, Dr. Carlton F. Davis has been married to his wife Enner Davis for twenty-five years, and in the enjoyment of that sweet communion they have raised four daughters;

Whereas, Dr. Carlton F. Davis will be the featured speaker at the Fifth Annual Prayer and Praise Breakfast and African-American Day at the Statehouse on February 8, 2000: Therefore,

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

SECTION 1. The General Assembly of Indiana congratulates Dr. Carlton F. Davis for his life of service, inspiration, study and teaching, and expresses its appreciation for his important contributions to the life of the citizens of Indiana.

SECTION 2. The Principal Clerk of the House of Representatives shall send a copy of this resolution to Dr. Carlton F. Davis.

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

INTRODUCTION OF BILLS

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

ESB 21 — Frenz, Wolkins, Turner (Ways and Means)

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

ESB 40 — Kuzman (Public Policy, Ethics and Veterans Affairs)

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

ESB 44 — Leuck, Kruse (Agriculture, Natural Resources and Rural Development)

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

ESB 62 — Kromkowski, Buell, Mangus, Liggett (Ways and Means)

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

ESB 63 — Kromkowski, Buell, Mangus, Liggett (Labor and Employment)

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

ESB 64 — Kromkowski, Buell, Mangus, Liggett (Ways and Means)

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

ESB 66 — Kersey, Scholer, Porter, Bosma (Ways and Means)

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

ESB 69 — GiaQuinta, Gregg, Mannweiler, Torr, Richardson, Linder (Ways and Means)

A BILL FOR AN ACT concerning state police, civil defense and military affairs and to make an appropriation.

ESB 79 — Welch, Goeglein, Crosby, Behning (Public Health)

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

ESB 95 — Budak, Richardson (Rules and Legislative Procedures)

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

ESB 108 — C. Brown, Murphy (Public Health)

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

ESB 110 — Bischoff (Rules and Legislative Procedures)

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

ESB 117 — Kromkowski, Richardson (Elections and Apportionment)

A BILL FOR AN ACT concerning elections.

ESB 132 — Kuzman, Klinker, Scholer (Public Policy, Ethics and Veterans Affairs)

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

ESB 139 — Lytle, Mangus (Agriculture, Natural Resources and Rural Development)

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

ESB 146 — Tincher (Labor and Employment)

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

ESB 151 — Mellinger, Dillon (Education)

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

- ESB 156** — Pelath, Becker, Crosby (Public Health)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.
- ESB 157** — Leuck, Atterholt (Roads and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- ESB 158** — Leuck, Grubb, Cherry (Rules and Legislative Procedures)
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.
- ESB 168** — Lytle, Mellinger, Cherry (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- ESB 171** — Bottorff, Steele, Klinker (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning economic development.
- ESB 175** — Klinker, Alderman (Human Affairs)
A BILL FOR AN ACT concerning human services.
- ESB 178** — Klinker, Wolkins (Public Health)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- ESB 187** — Bauer, GiaQuinta, Kruse (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- ESB 205** — Lytle, Hoffman (Agriculture, Natural Resources and Rural Development)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.
- ESB 209** — Sturtz, Yount (Commerce and Economic Development)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations.
- ESB 212** — Crosby, Dillon (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.
- ESB 214** — Bauer, M. Smith (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- ESB 216** — GiaQuinta, Espich, Moses, Goeglein (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- ESB 218** — Cook, Fry, Mock, Ulmer (Roads and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- ESB 224** — Kuzman, Atterholt, Bailey, Torr (Public Policy, Ethics and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- ESB 227** — Dvorak, Atterholt, Foley (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning property.
- ESB 239** — Lytle (Agriculture, Natural Resources and Rural Development)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- ESB 244** — Klinker, Kruse (Rules and Legislative Procedures)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

- ESB 246** — Bauer, Espich (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning education finance.
- ESB 248** — Kromkowski, Foley (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration and to make an appropriation.
- ESB 270** — Richardson (Rules and Legislative Procedures)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- ESB 279** — Bauer, Friend, Crooks (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- ESB 315** — Stevenson, Ayres (Roads and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.
- ESB 318** — Crosby, Richardson (Public Health)
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- ESB 320** — C. Brown (Public Health)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.
- ESB 378** — Sturtz (Agriculture, Natural Resources and Rural Development)
A BILL FOR AN ACT to amend the Indiana Code concerning handgun licensure fees.
- ESB 405** — Bottorff, J. Lutz (Commerce and Economic Development)
A BILL FOR AN ACT to amend the Indiana Code concerning commercial law.
- ESB 434** — Welch, Atterholt, Behning, Scholer, Bodiker (Rules and Legislative Procedures)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- ESB 447** — Mahern, M. Smith (Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- ESB 448** — Dvorak, Ulmer (Elections and Apportionment)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.
- ESB 471** — Villalpando, Torr, Richardson, Stevenson (Courts and Criminal Code)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- ESB 490** — Mahern, Behning, Bottorff (Commerce and Economic Development)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.
- ESB 504** — Crosby (Ways and Means)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1276

Representative GiaQuinta called down Engrossed House Bill 1276 for third reading:

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

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

Roll Call 192: yeas 73, nays 25. 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 Alexa.

Engrossed House Bill 1034

Representative Goeglein called down Engrossed House Bill 1034 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 193: yeas 97, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Wyss and Harrison.

Engrossed House Bill 1375

Representative Harris called down Engrossed House Bill 1375 for third reading:

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

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

Roll Call 194: yeas 97, 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 Kenley, Simpson, and S. Smith.

Engrossed House Bill 1393

Representative Hasler called down Engrossed House Bill 1393 for third reading:

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

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

Roll Call 195: 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 Merritt and Alting.

Engrossed House Bill 1237

Representative Herrell called down Engrossed House Bill 1237 for third reading:

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

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

Roll Call 196: yeas 97, 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 Johnson and Lewis.

Engrossed House Bill 1386

Representative Klinker called down Engrossed House Bill 1386 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.

HOUSE MOTION (Amendment 1386-10)

Mr. Speaker: I move that Engrossed House Bill 1386 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, line 1, delete "OT" and insert "TO".

Page 1, line 3 after "(a)" insert: "**This section applies only in 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).**".

Page 1, line 3, before "As", begin a new paragraph and insert "**(b)**".

Page 1, line 11, delete "(b)" and insert "**(c)**".

Page 2, line 3, delete "(c)" and insert "**(d)**".

Page 2, line 5, delete "(d)" and insert "**(e)**".

Page 2, line 9, delete "(c)(1)" and insert "**(d)(1)**".

Page 2, line 23, delete "(e)" and insert "**(f)**".

Page 2, line 34, delete "(f)" and insert "**(g)**".

Page 2, line 42, delete "(b)." and insert "**(c)**".

(Reference is to HB 1386 as printed January 28, 2000.)

KLINKER

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 1386, begs leave to report that said bill has been amended as directed.

KLINKER

Report adopted.

The question then was, Shall the bill pass?

Roll Call 197: yeas 86, nays 12. 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 Borst, Simpson, Alting, and Hume.

Engrossed House Bill 1025

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

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass? Representatives Dumezich, Gregg, Welch, and D. Young were excused from voting.

Roll Call 198: yeas 73, nays 21. 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, Craycraft, Weatherwax, and L. Lutz.

Engrossed House Bill 1328

Representative Kruzan called down Engrossed House Bill 1328 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public access to meetings and records.

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

Roll Call 199: yeas 88, nays 10. 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 Merritt and Simpson.

Engrossed House Bill 1260

Representative Kuzman called down Engrossed House Bill 1260 for third reading:

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

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

Roll Call 200: yeas 84, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Wyss, Clark, and Rogers.

The Speaker Pro Tempore yielded the gavel to the Speaker.

Engrossed House Bill 1300

Representative L. Lawson called down Engrossed House Bill 1300 for third reading:

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

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

HOUSE MOTION

Mr. Speaker: I move that Engrossed House Bill 1300 be made a special order of business for 7:30 p.m.

PORTER

Motion prevailed.

Engrossed House Bill 1214

Representative Leuck called down Engrossed House Bill 1214 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 201: yeas 98, 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 Skillman, Blade, Lubbers, and Simpson.

Representative Foley was excused for the rest of the day.

Engrossed House Bill 1318

Representative Liggett called down Engrossed House Bill 1318 for third reading:

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

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

Roll Call 202: yeas 51, nays 46. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Waterman and Craycraft.

Engrossed House Bill 1248

Representative Lytle called down Engrossed House Bill 1248 for third reading:

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

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

Roll Call 203: yeas 81, nays 15. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Nugent and Lewis.

Engrossed House Bill 1293

Representative Ruppel called down Engrossed House Bill 1293 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? Representative Murphy was excused from voting.

Roll Call 204: yeas 72, nays 23. 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, Simpson, C. Lawson, and Rogers.

Engrossed House Bill 1099

Representative Mellinger called down Engrossed House Bill 1099 for third reading:

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

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

Roll Call 205: 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 C. Meeks and Lanane.

Engrossed House Bill 1311

Representative Moses called down Engrossed House Bill 1311 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.

HOUSE MOTION

(Amendment 1311-3)

Mr. Speaker: I move that Engrossed House Bill 1311 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, line 3, delete "SECTION" and insert "section".

Page 1, line 15, delete "(a)" and insert "(b)".

Page 2, line 10, delete "(a)" and insert "(b)".

Page 2, line 13, delete "(i)" and insert "(A)".

Page 2, line 14, delete "(ii)" and insert "(B)".

Page 2, line 20, delete "SECTION" and insert "section".

Page 2, line 42, delete "(a)" and insert "(b)".

Page 3, line 10, delete "(a)" and insert "(b)".

Page 3, line 13, delete "(c)(2)" and insert "(d)(2)".

Page 3, line 25, delete "(a)" and insert "(b)".

Page 3, line 28, delete "(i)" and insert "(A)".

Page 3, line 29, delete "(ii)" and insert "(B)".

(Reference is to HB 1311 as reprinted February 2, 2000.)

MOSES

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 1311, begs leave to report that said bill has been amended as directed.

MOSES

Report adopted.

The question then was, Shall the bill pass?

Roll Call 206: yeas 97, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed

to inform the Senate of the passage of the bill. Senate sponsor: Senator Miller.

Engrossed House Bill 1067

Representative Oxley called down Engrossed House Bill 1067 for third reading:

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

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

Roll Call 207: yeas 67, nays 31. 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 R. Young.

Engrossed House Bill 1279

Representative Pond called down Engrossed House Bill 1279 for third reading:

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

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

Roll Call 208: 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 Long, C. Meeks, and Wyss.

Engrossed House Bill 1011

Representative Porter called down Engrossed House Bill 1011 for third reading:

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

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

Roll Call 209: yeas 65, nays 34. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Washington and Howard.

Engrossed House Bill 1221

Representative Ripley called down Engrossed House Bill 1221 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 210: 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 Ford and Skillman.

HOUSE MOTION

Mr. Speaker: Inasmuch as the vote on final passage resulted in a majority vote in favor of passage, but not a constitutional majority, I move under Rule 151 that Engrossed House Bill 1371 be reconsidered pursuant to Rule 95.

PORTER

Motion prevailed.

Engrossed House Bill 1371

The Speaker handed down for third reading Engrossed House Bill 1371, authored by Representative Porter:

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

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

Roll Call 211: yeas 52, nays 46. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Breaux.

Engrossed House Bill 1112

Representative Saunders called down Engrossed House Bill 1112 for third reading:

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

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

Roll Call 212: yeas 95, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Jackman, Gard, and Craycraft.

Engrossed House Bill 1391

Representative Scholer called down Engrossed House Bill 1391 for third reading:

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

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

Roll Call 213: 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 Skillman and Simpson.

Engrossed House Bill 1014

Representative V. Smith called down Engrossed House Bill 1014 for third reading:

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

The bill was read a third time by sections and placed upon its passage.

HOUSE MOTION (Amendment 1014-2)

Mr. Speaker: I move that Engrossed House Bill 1014 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

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

Page 1 line 6, after "access" delete "," and insert ";".

Page 1, line 6, strike "unless".

Page 1, line 6, delete "the".

Page 1, delete line 7.

Page 1, line 8, delete "videos and".

Page 1, line 8, strike "each minor is accompanied by his parent or guardian;".

Page 2, delete lines 9 through 23.

(Reference is to HB 1014 as printed January 27, 2000.)

V. SMITH

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 1014, begs leave to report that said bill has been amended as directed.

V. SMITH

Report adopted.

The question then was, Shall the bill pass?

Roll Call 214: yeas 97, 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 Wyss and Rogers.

Engrossed House Bill 1202

Representative Stilwell called down Engrossed House Bill 1202 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 215: 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 Blade.

Engrossed House Bill 1295

Representative Sturtz called down Engrossed House Bill 1295 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 216: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray, Alexa, C. Meeks, and R. Meeks.

Engrossed House Bill 1136

Representative Thompson called down Engrossed House Bill 1136 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 217: 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 Lubbers and Sipes.

Engrossed House Bill 1269

Representative Tincher called down Engrossed House Bill 1269 for third reading:

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

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

Roll Call 218: yeas 61, nays 33. 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, Blade, and Waterman.

Engrossed House Bill 1137

Representative Villalpando called down Engrossed House Bill 1137 for third reading:

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

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

Roll Call 219: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Zakas and Craycraft.

Engrossed House Bill 1232

Representative D. Young called down Engrossed House Bill 1232 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 220: 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 sponsor: Senator Ford.

Engrossed House Bill 1130

Representative Becker called down Engrossed House Bill 1130 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? Representative T. Brown was excused from voting.

Roll Call 221: 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 Miller and Server.

Engrossed House Bill 1104

Representative Tincher called down Engrossed House Bill 1104 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.

HOUSE MOTION
(Amendment 1104-4)

Mr. Speaker: I move that Engrossed House Bill 1104 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, line 10, after "compensatory" insert ", ".
Page 1, line 11, delete "any other employee" and insert "**a leave of absence bank within the employee's division of the service for use by any other employee within the same division of the service.**".

Page 1, line 12, delete "shall" and insert "**may**".
Page 1, line 12, delete "this transfer" and insert "**a transfer under this subsection**".

(Reference is to HB 1104 as reprinted February 2, 2000.)

TINCHER

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 1104, begs leave to report that said bill has been amended as directed.

TINCHER

Report adopted.

The question then was, Shall the bill pass?

Roll Call 222: yeas 81, nays 14. 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 Waterman and Blade.

Engrossed House Bill 1174

Representative Pond called down Engrossed House Bill 1174 for third reading:

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

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

Roll Call 223: 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 Wheeler, Lewis, R. Meeks, and Wolf.

Engrossed House Bill 1289

Representative Oxley called down Engrossed House Bill 1289 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 224: yeas 52, nays 39. 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 Nugent and Bowser.

Engrossed House Bill 1102

Representative Moses called down Engrossed House Bill 1102 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 225: yeas 91, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Miller and Rogers.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 8:55 p.m. with the Speaker in the Chair.

Representative Bottorff was excused for the rest of the day.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 233, 242, 245, 256, 257, 259, 262, 288, 319, 322, 330, 331, 343, 351, 352, 353, 355, 373, 379, 401, 411, 414, 418, 432, 433, 442, 455, 468, 469, 470, 505, 508, 511, and 515

and the same are herewith transmitted to the House for further action.

CAROLYN J. TINKLE
Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 36 and the same is herewith transmitted to the House for further action.

CAROLYN J. TINKLE
Secretary of the Senate

SPECIAL ORDER OF BUSINESS**Engrossed House Bill 1300**

The Speaker handed down for third reading Engrossed House Bill 1300, authored by Representative L. Lawson, which had been made a special order of business.

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

The bill was reread a third time by sections and placed upon its passage.

HOUSE MOTION

(Amendment 1300-1)

Mr. Speaker: I move that Engrossed House Bill 1300 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, line 5, after "following" insert "**in an advisory capacity**".

Page 1, delete lines 9 through 17.

Page 2, delete lines 1 through 19.

Page 2, line 31, after "following" insert "**in an advisory capacity**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1300 as printed January 25, 2000.)

L. LAWSON

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 1300, begs leave to report that said bill has been amended as directed.

L. LAWSON

Report adopted.

The question then was, Shall the bill pass?

Roll Call 226: yeas 58, nays 36. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Meeks and Alexa.

ENGROSSED HOUSE BILLS ON THIRD READING**Engrossed House Bill 1410**

Representative Mellinger called down Engrossed House Bill 1410 for third reading:

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

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

Roll Call 227: yeas 95, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Kenley and Alexa.

Engrossed House Bill 1184

Representative Lytle called down Engrossed House Bill 1184 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning burial grounds and cemeteries.

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

Roll Call 228: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Wheeler, Merritt, Lewis, and Craycraft.

Engrossed House Bill 1317

Representative Liggett called down Engrossed House Bill 1317 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 1317-4)

Mr. Speaker: With the consent of the author, I move that Engrossed House Bill 1317 be recommitted to a Committee of One, Representative Bosma, with specific instructions to amend as follows:

Page 14, line 21, delete "shall" and insert "**may**".

Page 14, line 24, delete "any school administrative," and insert "**employees of the school having responsibility for school safety.**".

Page 14, delete lines 25 through 26.

Page 15, line 1, delete "shall" and insert "**may**".

Page 15, line 4, delete "shall" and insert "**may**".

(Reference is to HB 1317 as reprinted February 2, 2000.)

BOSMA

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 1317, begs leave to report that said bill has been amended as directed.

BOSMA

Report adopted.

The question then was, Shall the bill pass?

Roll Call 229: yeas 42, nays 55. The bill was defeated.

Engrossed House Bill 1024

Representative Kromkowski called down Engrossed House Bill 1024 for third reading:

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

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

Roll Call 230: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Landske, Breaux, Skillman, and Craycraft.

Engrossed House Bill 1387

Representative Klinker called down Engrossed House Bill 1387 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 231: yeas 90, nays 5. 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 Alting, Rogers, Simpson, and Gard.

Engrossed House Bill 1046

Representative Hasler called down Engrossed House Bill 1046 for third reading:

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

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

Roll Call 232: 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 Bray.

Engrossed House Bill 1296

Representative Harris called down Engrossed House Bill 1296 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 233: yeas 93, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Landske, Simpson, and S. Smith.

Engrossed House Bill 1239

Representative Dvorak called down Engrossed House Bill 1239 for third reading:

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

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

Roll Call 234: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Zakas.

Engrossed House Bill 1283

Representative Dickinson called down Engrossed House Bill 1283 for third reading:

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

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

Roll Call 235: 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 Weatherwax and Rogers.

Engrossed House Bill 1124

Representative Day called down Engrossed House Bill 1124 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 236: 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 Miller, Bowser, and Simpson.

Engrossed House Bill 1354

Representative Cochran called down Engrossed House Bill 1354 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 237: yeas 94, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Clark and Sipes.

Engrossed House Bill 1374

Representative Bauer called down Engrossed House Bill 1374 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 238: yeas 97, 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 Borst and Simpson.

Engrossed House Bill 1146

Representative Avery called down Engrossed House Bill 1146 for third reading:

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

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

Roll Call 239: yeas 71, nays 24. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators R. Meeks, Kenley, and Alexa.

Engrossed House Bill 1347

Representative Day called down Engrossed House Bill 1347 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.

HOUSE MOTION (Amendment 1347-4)

Mr. Speaker: I move that Engrossed House Bill 1347 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Delete everything after the enacting clause and insert:

SECTION 1. IC 12-7-2-110 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 110. "Hospital" means the following:

(1) For purposes of IC 12-15-11.5, the meaning set forth in IC 12-15-11.5-1.

(+) (2) For purposes of IC 12-15-18, the meaning set forth in IC 12-15-18-2.

(-) (3) For purposes of IC 12-16, except IC 12-16-1, the term refers to a hospital licensed under IC 16-21.

SECTION 2. IC 12-15-11.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON

PASSAGE]:

Chapter 11.5. Lake County Disproportionate Share Hospitals

Sec. 1. As used in this chapter, "hospital" refers to an acute care hospital provider that:

(1) is licensed under IC 16-21;

(2) qualifies as a disproportionate share hospital under IC 12-15-16; and

(3) is the sole disproportionate share hospital in a city located in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

Sec. 2. (a) The office's managed care contractor shall regard a hospital as a contracted provider in the office's managed care services program, which provides a capitated prepayment managed care system, for the provision of medical services to each individual who:

(1) is eligible to receive services under IC 12-15 and has enrolled in the office's managed care services program;

(2) resides in the same city in which the hospital is located; and

(3) has selected a primary care provider who:

(A) is a contracted provider with the office's managed care contractor; and

(B) has medical staff privileges at the hospital.

(b) This section expires June 30, 2001.

Sec. 3. (a) The office or the office's managed care contractor may not provide incentives or mandates to the primary medical provider to direct individuals described in section 2 of this chapter to contracted hospitals other than a hospital in a city where the patient resides.

(b) A hospital that provides services to individuals described in section 2 of this chapter may enter into an agreement with the office's managed care contractor on procedures for eligibility verification and medical management programs. The hospital shall comply with the procedures covered by the agreement following full disclosure to the hospital by the managed care contractor of all eligibility and management criteria.

(c) This section expires June 30, 2001.

Sec. 4. (a) A hospital that:

(1) does not have a contract in effect with the office's managed care contractor; but

(2) previously contracted or entered into an agreement with the office's managed care contractor for the provision of services under the office's managed care program;

shall be reimbursed for services provided to individuals described in section 2 of this chapter at rates equivalent to the rates negotiated under the hospital's previous contract or agreement with the office's managed care contractor, as adjusted for inflation by the inflation adjustment factor described in subsection (b). However, the adjusted rates may not exceed the established Medicaid rates paid to Medicaid providers who are not contracted providers in the office's managed health care services program.

(b) For each state fiscal year beginning after June 30, 2001, an inflation adjustment factor shall be applied under subsection (a) that is the average of the percentage increase in the medical care component of the Consumer Price Index for all Urban Consumers and the percentage increase in the Consumer Price Index for all Urban Consumers, as published by the United States Bureau of Labor Statistics, for the twelve (12) month period ending in March preceding the beginning of the state fiscal year.

(c) This section expires June 30, 2001.

Sec. 5. (a) A hospital may enter into a contract with the office or the office's managed care contractor for reimbursement rates other than the reimbursement rates described in section 4 of this chapter.

(b) This section expires June 30, 2001.

Sec. 6. A claim for reimbursement for services shall be treated as a disputed claim under this chapter if:

(1) it is submitted within one hundred twenty (120) days after the date that services are rendered;

(2) it is denied by the managed care contractor;

(3) the hospital submits a written notice of dispute for the claim to the managed care contractor not more than sixty (60) days

after the receipt of the denial notice; and

(4) it is appealed in accordance with the managed care contractor's internal appeals process.

Sec. 7. An appeal of a disputed claim must be concluded not more than thirty (30) days after the managed care contractor receives a notice of dispute for the claim.

Sec. 8. (a) A contract entered into by a hospital with the office's managed care contractor for the provision of services under the office's managed care services program must include a dispute resolution procedure for all disputed claims. The dispute resolution procedure must include the following requirements:

(1) That submission of disputed claims must be made to an independent arbitrator selected under subsection (b).

(2) That prompt submission of disputed claims from the office's managed care contractor to the arbitrator of any claims that remain in dispute sixty (60) calendar days after the hospital provides written notice to the office's managed care contractor that the hospital disputes the claims denial.

(3) That resolution of disputes by the arbitrator must occur not later than sixty (60) calendar days after submission of disputed claims to the arbitrator, unless the parties mutually agree otherwise.

(4) That determinations of the arbitrator are final and binding, and not subject to any appeal or review procedure.

(5) That judgment upon the award rendered by the arbitrator may be entered and enforced in and is subject to the jurisdiction of a court with jurisdiction in Indiana.

(6) That the cost of the arbitrator must be shared equally by the parties, and each party must bear its own attorney and witness fees.

(b) The parties to a contract described in subsection (a) shall mutually agree on an independent arbitrator, or, if the parties are unable to reach agreement on an independent arbitrator, the following procedure must be followed:

(1) Each party shall select an independent representative, and the independent representatives shall select a panel of three (3) independent arbitrators.

(2) The parties will each strike one (1) arbitrator from the panel selected under subdivision (1), and the remaining arbitrator serves as the arbitrator of the disputed claims under subsection (a).

(3) The procedures for selecting an arbitrator under this section must be completed not later than fourteen (14) calendar days after the hospital provides written notice of at least one (1) disputed claim.

Sec. 9. The arbitration process described in section 8 of this chapter shall also be followed for resolution of disputed claims between a hospital and the office's managed care contractor, if the hospital is not a contracted provider in the office's managed health care services program.

SECTION 3. [EFFECTIVE UPON PASSAGE] A hospital (as defined in IC 12-15-11.5-1, as added by this act) and the managed care contractor of the office (as defined in IC 12-7-2-134) shall use the arbitration procedure in IC 12-15-11.5-8, as added by this act, for the resolution of all disputed claims (as defined in IC 12-15-11.5-6, as added by this act) that have accrued as of the effective date of IC 12-15-11.5, as added by this act.

SECTION 4. An emergency is declared for this act.

(Reference is to HB 1347 as printed January 20, 2000.)

DAY

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 1347, begs leave to report that said bill has been amended as directed.

DAY

Report adopted.

The question then was, Shall the bill pass?

Roll Call 240: yeas 97, 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 Miller, S. Smith, Landske, and Rogers.

Engrossed House Bill 1385

Representative Klinker called down Engrossed House Bill 1385 for third reading:

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

The bill was read a third time by sections and placed upon its passage.

HOUSE MOTION

(Amendment 1385-3)

Mr. Speaker: I move that Engrossed House Bill 1385 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 4, line 20, reset in roman "IC".

(Reference is to HB 1385 as reprinted February 2, 2000.)

KLINKER

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 1385, begs leave to report that said bill has been amended as directed.

KLINKER

Report adopted.

The question then was, Shall the bill pass?

Roll Call 241: yeas 93, nays 4. 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 Mills, Alting, Lewis, and Rogers.

Engrossed House Bill 1319

Representative Liggett called down Engrossed House Bill 1319 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.

HOUSE MOTION

(Amendment 1319-1)

Mr. Speaker: I move that Engrossed House Bill 1319 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 5, line 22, delete "and upon" and insert "the legislative body shall, in accordance with IC 5-3-1, give notice of the right of property owners within the proposed special service area to sign a petition opposing the establishment of the special service area. A petition opposing the establishment of the proposed special service area may be filed with the county auditor not more than fifteen (15) days after the notice is given. If a petition opposing the establishment of the proposed special service area is filed and is signed by at least:

(1) fifty-one percent (51%) of the owners of land in the proposed special service area; or

(2) the owners of fifty-one percent (51%) of the total assessed value of the land in the proposed special service area;

the proposed special service area may not be established.

(b) After".

Page 5, line 23, after "evidence" delete "," and insert "and after the period for filing a petition under this subsection,".

Page 5, line 28, after "benefit;" delete "and".

Page 5, line 31, after "provided" delete "." and insert "; and

(3) a petition opposing the establishment of the proposed special service area has not been filed within the time required by subsection (a) by:

- (A) fifty-one percent (51%) of the owners of land in the proposed special service area; or**
(B) the owners of fifty-one percent (51%) of the total assessed value of the land in the proposed special service area."

Page 5, line 32, delete "(b)" and insert "(c)".

Page 5, line 38, delete "(c)" and insert "(d)".

(Reference is to HB 1319 as printed January 25, 2000.)

LIGGETT

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 1319, begs leave to report that said bill has been amended as directed.

LIGGETT

Report adopted.

The question then was, Shall the bill pass?

Roll Call 242: yeas 32, nays 64. The bill was defeated.

Engrossed House Bill 1247

Representative Lytle called down Engrossed House Bill 1247 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

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

Roll Call 243: yeas 93, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Mills and Riegsecker.

Engrossed House Bill 1302

Representative Tincher called down Engrossed House Bill 1302 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? Representatives Ayres, Becker, Klinker, and Ruppel were excused from voting.

Roll Call 244: yeas 43, nays 50. The bill failed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Kruzan be removed as coauthor of House Bill 1180.

KRUZAN

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 Frizzell and Crosby be added as coauthors of House Bill 1180

DENBO

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 Representatives Crosby and Buell be added as coauthors of House Bill 1230.

EVERY

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 Representatives Dvorak, Klinker, Turner, and Kruse be added as coauthors of House Bill 1290.

M. YOUNG

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 Villalpando be added as coauthor of House Bill 1326.

KRUZAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Atterholt be removed as sponsor of Engrossed Senate Bill 434, that Representative Welch be substituted as sponsor and that Rule 106.1 be suspended for the purpose of adding more than three cosponsors and that Representatives Atterholt, Behning, Scholer, and Bodiker be added as cosponsors of Engrossed Senate Bill 434.

ATTERHOLT

Motion prevailed.

On the motion of Representative M. Young the House adjourned at 11:00 p.m., this seventh day of February, 2000, until Wednesday, February 9, 2000, at 1:00 p.m.

JOHN R. GREGG

Speaker of the House of Representatives

LEE SMITH

Principal Clerk of the House of Representatives