



# Journal of the House

State of Indiana

112th General Assembly

First Regular Session

Twenty-ninth Meeting Day

Tuesday Morning

March 6, 2001

The House convened at 9:00 a.m. with the Speaker in the Chair.

The invocation was offered by Pastor Johnny Johnson, Dive Christian Church, Bedford, the guest of Representative Brent E. Steele.

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

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

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

Roll Call 338: 94 present; 6 excused. The Speaker announced a quorum in attendance. [NOTE: • indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, March 7, 2001, at 1:00 p.m.

HASLER

Motion prevailed.

## ENGROSSED HOUSE BILLS ON THIRD READING

### Engrossed House Bill 1065

Representative Stilwell called down Engrossed House Bill 1065 for third reading:

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

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

Representative Dumezich was excused from voting. Roll Call 339: 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 Server and R. Young.

Representative Mock was present.

### Engrossed House Bill 1083

Representative Cheney called down Engrossed House Bill 1083 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 340: 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 Merritt, Server, and L. Lutz.

Representative Alderman was present.

### Engrossed House Bill 1105

Representative Hasler called down Engrossed House Bill 1105 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 341: 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 T. Adams was present.

### Engrossed House Bill 1122

Representative Fry called down Engrossed House Bill 1122 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 342: yeas 80, 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 Gard and Lanane.

Representative Summers was present.

### **Engrossed House Bill 2031**

Representative Kruzan called down Engrossed House Bill 2031 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 343: 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 Wyss, Simpson, and Blade.

### **Engrossed House Bill 1156**

Representative Cook called down Engrossed House Bill 1156 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 344: yeas 91, 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, Alexa, and Long.

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

### **Engrossed House Bill 1206**

Representative Crawford called down Engrossed House Bill 1206 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 345: yeas 92, 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 Long and Howard.

### **Engrossed House Bill 1207**

Representative Crawford called down Engrossed House Bill 1207 for third reading:

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

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

Roll Call 346: 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 Miller and Breaux.

### **Engrossed House Bill 1208**

Representative Crawford called down Engrossed House Bill 1208 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 347: 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. Lawson and Antich.

### **Engrossed House Bill 1218**

Representative Mellinger called down Engrossed House Bill 1218 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 348: 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 Kenley and Alexa.

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

### **Engrossed House Bill 1221**

Representative Mellinger called down Engrossed House Bill 1221 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 349: yeas 85, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Ford.

### **Engrossed House Bill 1277**

Representative Cheney called down Engrossed House Bill 1277 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 350: yeas 71, 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 Landske, C. Lawson, Antich, and Alexa.

### **Engrossed House Bill 1299**

Representative V. Smith called down Engrossed House Bill 1299 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 351: yeas 91, 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 C. Meeks, Bowser, and S. Smith.

### **Engrossed House Bill 1310**

Representative Bottorff called down Engrossed House Bill 1310 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning violent crime victims compensation.

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

Roll Call 352: 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 R. Meeks and Sipes.

### **Engrossed House Bill 1887**

Representative Pelath called down Engrossed House Bill 1887 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 353: yeas 56, nays 40. 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 Server and Bowser.

The House recessed until the fall of the gavel.

## **RECESS**

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

Representative Saunders was present. Representative Munson was excused.

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

## **ENGROSSED HOUSE BILLS ON THIRD READING**

### **Engrossed House Bill 1138**

Representative Day called down Engrossed House Bill 1138 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?

On the motion of Representative Summers the previous question was called. Roll Call 354: yeas 30, nays 65. The bill was defeated.

### **Engrossed House Bill 1461**

Representative Pelath called down Engrossed House Bill 1461 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 355: 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 C. Lawson and Alexa.

### **Engrossed House Bill 1383**

Representative Porter called down Engrossed House Bill 1383 for third reading:

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

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

Roll Call 356: 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 Clark and Breaux.

### **Engrossed House Bill 1385**

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

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

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

Roll Call 357: 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 Zakas and Antich.

### **Engrossed House Bill 1409**

Representative T. Adams called down Engrossed House Bill 1409 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 358: yeas 84, 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 sponsor: Senator Craycraft.

### **Engrossed House Bill 1417**

Representative Ayres called down Engrossed House Bill 1417 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 359: 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 Server, Alexa, and Antich.

### **Engrossed House Bill 1448**

Representative Bischoff called down Engrossed House Bill 1448 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.

HOUSE MOTION  
(Amendment 1448-2)

Mr. Speaker: I move that Engrossed House Bill 1448 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, line 3, delete "Basic" and insert "**Bachelor's**".

Page 1, line 4, delete "IC 25-23.6-5-1.5" and insert "**IC 25-23.6-5-0.5**".

Page 1, line 7, delete "basic" and insert "**bachelor's**".

Page 1, line 11, delete "IC 25-23.6-5-1.5" and insert "IC 25-23.6-5-0.5".

Page 1, line 13, delete "1.5." and insert "**0.5**".

Page 1, line 14, delete "basic" and insert "**bachelor's**".

Page 2, line 9, delete "will work in the practice of" and insert "**will, after receiving a bachelor's social worker license under this section, practice**".

Page 2, line 11, delete "as determined by the" and insert "**for the equivalent of two (2) years**".

Page 2, delete line 12.

Page 2, line 22, delete "an" and insert "**a basic**".

Page 2, delete lines 24 through 27, begin a new paragraph and insert:

**"(b) The scope of practice of an individual licensed under this section is the same as the scope of practice of an individual licensed under section 1 of this chapter"**.

Page 2, line 36, delete "basic" and insert "**bachelor's**".

(Reference is to HB 1448 as printed February 28, 2001.)

BISCHOFF

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 1448, begs leave to report that said bill has been amended as directed.

BISCHOFF

Report adopted.

The question then was, Shall the bill pass?

Roll Call 360: yeas 83, nays 11. 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, Nugent, Alting, and C. Lawson.

**Engrossed House Bill 1455**

Representative Kuzman called down Engrossed House Bill 1455 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 361: yeas 61, nays 35. 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 Lewis.

The House recessed until the fall of the gavel.

**RECESS**

The House reconvened at 4:10 p.m. with the Deputy Speaker Pro Tempore, Representative Crosby, in the Chair.

**ENGROSSED HOUSE BILLS ON THIRD READING**

**Engrossed House Bill 1487**

Representative Goeglein called down Engrossed House Bill 1487

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 362: 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 C. Lawson, Johnson, Rogers, and Simpson.

**Engrossed House Bill 1982**

Representative Stilwell called down Engrossed House Bill 1982 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 363: 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 Harrison and Craycraft.

Representative Munson was present. Representative D. Young was excused for the rest of the day.

**Engrossed House Bill 2102**

Representative Porter called down Engrossed House Bill 2102 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 364: 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 sponsors: Senators Lubbers and Breauux.

Representative Hinkle was excused for the rest of the day.

**Engrossed House Bill 2034**

Representative Kruzan called down Engrossed House Bill 2034 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 365: 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 Simpson.

**Engrossed House Bill 1866**

Representative Crawford called down Engrossed House Bill 1866 for third reading:

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

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

Representative Turner was excused from voting. Roll Call 366: yeas 63, nays 32. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the

Senate of the passage of the bill. Senate sponsors: Senators Miller and Simpson.

### **Engrossed House Bill 1609**

Representative Kersey called down Engrossed House Bill 1609 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 367: yeas 57, nays 38. 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 Landske.

### **Engrossed House Bill 1649**

Representative Summers called down Engrossed House Bill 1649 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 368: yeas 91, 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 sponsor: Senator M. Young.

### **Engrossed House Bill 1650**

Representative Goeglein called down Engrossed House Bill 1650 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 369: 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 Johnson Blade, C. Lawson, and Simpson.

### **Engrossed House Bill 1692**

Representative Porter called down Engrossed House Bill 1692 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?

Representative Fry was excused from voting. Roll Call 370: 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 Lubbers, Breaux, and Rogers.

### **Engrossed House Bill 1964**

Representative Herrell called down Engrossed House Bill 1964 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 371: 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 Bray and Alexa.

### **Engrossed House Bill 1757**

Representative Hasler called down Engrossed House Bill 1757 for third reading:

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

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

Roll Call 372: yeas 73, 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 sponsor: Senator Bray.

### **Engrossed House Bill 1773**

Representative Welch called down Engrossed House Bill 1773 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 373: 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 Johnson and Craycraft.

### **Engrossed House Bill 1783**

Representative L. Lawson called down Engrossed House Bill 1783 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 374: 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 sponsor: Senator Harrison.

### **Engrossed House Bill 1786**

Representative Liggett called down Engrossed House Bill 1786 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 375: 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 Harrison and Craycraft.

### **Engrossed House Bill 1979**

Representative Fry called down Engrossed House Bill 1979 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning merchant power plants.

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

Representatives Crosby, Gregg, and Mannweiler were excused from voting. Roll Call 376: yeas 68, nays 26. 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 Lanane.

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

### Engrossed House Bill 1811

Representative Crosby called down Engrossed House Bill 1811 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 377: 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 Kenley, C. Lawson, Riegsecker, Simpson, Alexa, and Broden.

### Engrossed House Bill 1813

Representative Crosby called down Engrossed House Bill 1813 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?

Representative Pelath was excused from voting. Roll Call 378: 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 Johnson, Blade, and Simpson.

### Engrossed House Bill 1852

Representative C. Brown called down Engrossed House Bill 1852 for third reading:

A BILL FOR AN ACT 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 379: 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 Landske, Rogers, Zakas, and Alexa.

### Engrossed House Bill 1894

Representative Dvorak called down Engrossed House Bill 1894 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 380: 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 Zakas.

### Engrossed House Bill 1902

Representative Stevenson called down Engrossed House Bill 1902 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 1902-2)

Mr. Speaker: I move that Engrossed House Bill 1902 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, line 9, after "for", delete "a" and insert "the".

Page 1, line 9, after "reassessment" insert "**of real property to be completed for the March 1, 2002, assessment date**".

Page 1, line 9, after "of", delete "a" and insert "that".

Page 1, line 14, delete "each" and insert "the".

Page 1, line 14, after "reassessment" insert "**of real property**".

Page 1, line 14, after "county" insert "**to be completed for the March 1, 2002, assessment date**".

Page 2, line 23, delete "under IC 6-1.1-15." and insert "**to the state board of tax commissioners. Except as provided in subsection (e), the procedures and time limitations that apply to an appeal to the state board of tax commissioners of a determination of the county property tax assessment board of appeals under IC 6-1.1-15 apply to an appeal under this subsection. A determination by the state board of tax commissioners of an appeal under this subsection is subject to appeal to the tax court under IC 6-1.1-15.**"

(e) In order to obtain a review by the state board of tax commissioners under subsection (d), the taxpayer must file a petition for review with the appropriate county assessor within forty-five (45) days after the notice of the state board of tax commissioners is given to the taxpayer under subsection (d)."

Page 2, line 24, delete "(e)" and insert "(f)".

Page 2, line 28, delete "(f)" and insert "(g)".

Page 2, between lines 30 and 31, begin a new paragraph and insert:

"(h) **The state board of tax commissioners may begin the process of selecting a contractor under this section before January 1, 2002, but may not execute a written contract until after that date.**"

Page 4, line 3, delete "forty-two" and insert "**seventeen**".

Page 4, line 4, delete "\$42,000" and insert "**(\$17,000)**".

Page 4, line 19, delete "thirty-three" and insert "**eight**".

Page 4, line 20, delete "\$33,000" and insert "**(\$8,000)**".

Replace the effective dates in SECTIONS 2 through 17 with "[EFFECTIVE JANUARY 1, 2002]".

Page 17, delete line 6.

(Reference is to HB 1902 as printed February 22, 2001.)

STEVENSON

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 1902, begs leave to report that said bill has been amended as directed.

STEVENSON

Report adopted.

The question then was, Shall the bill pass?

Roll Call 381: 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 Landske, Rogers, and Antich.

The House recessed until the fall of the gavel.

### RECESS

The House reconvened at 8:05 p.m. with the Speaker in the Chair.

Representative Mannweiler was excused.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 5, 9, 15, 16, 67, 79, 110,

132, 182, 190, 217, 222, 225, 230, 243, 261, 267, 298, 311, 333, 344, 345, 350, 351, 358, 375, 388, 428, 434, 445, 448, and 457 and the same are herewith transmitted to the House for further action.

MARY C. MENDEL  
Principal 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 25 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL  
Principal Secretary of the Senate

### RESOLUTIONS ON FIRST READING

#### Senate Concurrent Resolution 25

The Speaker handed down Senate Concurrent Resolution 25, sponsored by Representatives Leuck and Kruse:

A CONCURRENT RESOLUTION urging the governor to direct state agencies to review all of the current lake management and lake protection programs and responsibilities, for the purpose of consolidating programs, projects, and personnel into one identifiable lake management unit within an existing agency of government.

*Whereas, In the late 1940's, the General Assembly determined that the state's public freshwater lakes were important natural resources to be preserved, protected, and enjoyed by the public and to be held in trust by the state;*

*Whereas, At that time, the department of conservation (the forerunner of the department of natural resources) assumed the responsibility of protecting and managing Indiana's public freshwater lakes;*

*Whereas, In ensuing years, the General Assembly enacted numerous lake-related laws, and state agencies such as the state board of health and the department of environmental management adopted numerous lake-related administrative rules or otherwise intervened in lake-related issues;*

*Whereas, Additionally, federal agencies, including the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, and the USDA Natural Resources Conservation Service, became involved to varying degrees in lake-related matters;*

*Whereas, To further complicate this matter, currently there are many separate divisions within the department of natural resources that are involved in some phase of lake management or protection, including the divisions of fish and wildlife, law enforcement, soil conservation, state parks and reservoirs, and water;*

*Whereas, As a result of changes since the late 1940's and pressure on lake resources, lake management in Indiana has evolved into a complex and relatively uncoordinated array of responsible entities and programs, the resources have suffered, and the public is thoroughly confused about the correct agency to contact for important information and advice; and*

*Whereas, Calls to contact appropriate government officers about lake-related matters are frequently answered by staff persons who do not know to whom the calls should be directed, either because the caller has not provided sufficient information or because the staff person lacks the training to transfer phone calls, or because the information provided to the staff person is outdated or insufficient: 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 governor is urged to immediately issue an executive order or other appropriate directive instructing the appropriate state agencies to review thoroughly all the various lake management and lake protection programs and responsibilities, with the intent of consolidating programs, projects, and personnel, where appropriate, into one identifiable lake management unit within an

existing agency of government.

SECTION 2. That the governor is urged to invite a reasonable number of concerned citizens to participate in the review undertaken in response to the governor's order or directive.

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

### ENGROSSED HOUSE BILLS ON THIRD READING

#### Engrossed House Bill 1909

Representative Stevenson called down Engrossed House Bill 1909 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 382: yeas 83, 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 Landske, Rogers, Wyss, and Alexa.

#### Engrossed House Bill 1930

Representative Oxley called down Engrossed House Bill 1930 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 1930-1)

Mr. Speaker: I move that Engrossed House Bill 1930 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, line 14, delete "(as defined" and insert "**under IC 20-10.1-16 and IC 20-10.1-17;**"

Page 1, delete line 15.

Page 2, line 2, delete "." and insert "**;** and

**(3) provided by teachers who meet the requirements specified under IC 20-6.1-3.**

**The department shall encourage an offender to pursue a high school diploma."**

Page 2, between lines 6 and 7, begin a new paragraph and insert: "SECTION 2. IC 12-24-1-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:**Sec. 10. (a) Any academic and vocational education curricula or program that is provided to patients of a state institution must be:**

**(1) consistent with the state's academic standards under IC 20-10.1-16 and IC 20-10.1-17;**

**(2) offered in a manner that allows patients of the state institution to qualify for diplomas upon successful completion of the state's requirements for high school graduation; and**

**(3) provided by teachers who meet the requirements specified under IC 20-6.1-3.**

**(b) The superintendent of a state institution may contract with a private or public entity to provide educational services in academic and vocational education programs provided to patients of the state institution.**

SECTION 3. IC 16-33-3-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:**Sec. 12. (a) Any academic and vocational education curricula or program that is provided to clients under this chapter must be:**

**(1) consistent with the state's academic standards under IC 20-10.1-16 and IC 20-10.1-17;**

**(2) offered in a manner that allows clients to qualify for diplomas upon successful completion of the state's requirements for high school graduation; and**

**(3) provided by teachers who meet the requirements specified under IC 20-6.1-3.**

**(b) The director may contract with a private or public entity to provide educational services in academic and vocational education programs provided to clients under this chapter.**

SECTION 4. IC 20-12-0.5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. The commission shall have the following powers and duties:

(1) To develop, continually keep current, and implement a long range plan for postsecondary education. In developing this plan, the commission shall take into account the plans and interests of the state private institutions, anticipated enrollments in state postsecondary institutions, financial needs of students and other factors pertinent to the quality of educational opportunity available to the citizens of Indiana. The plan shall define the educational missions and the projected enrollments of the various state educational institutions.

(2) To consult with and make recommendations to the commission on vocational and technical education within the department of workforce development on all postsecondary vocational education programs. The commission shall biennially prepare a plan for implementing postsecondary vocational education programming after considering the long range state plan developed under IC 20-1-18.3-10. The commission shall submit this plan to the commission on vocational and technical education within the department of workforce development for its review and recommendations, and shall specifically report on how the plan addresses preparation for employment.

(3) To make recommendations to the general assembly and the governor concerning the long range plan, and prepare to submit drafts and proposed legislation needed to implement the plan. The commission may also make recommendations to the general assembly concerning the plan for postsecondary vocational education under subdivision (2).

(4) To review the legislative request budgets of all state educational institutions preceding each session of the general assembly and to make recommendations concerning appropriations and bonding authorizations to state educational institutions including public funds for financial aid to students by any state agency. The commission may review all programs of any state educational institution, regardless of the source of funding, and may make recommendations to the governing board of the institution, the governor, and the general assembly concerning the funding and the disposition of the programs. In making this review, the commission may request and shall receive, in such form as may reasonably be required, from all state educational institutions, complete information concerning all receipts and all expenditures.

(5) To submit to the commission on vocational and technical education within the department of workforce development for its review under IC 20-1-18.3-15 the legislative budget requests prepared by state educational institutions for state and federal funds for vocational education. These budget requests shall be prepared upon request of the budget director, shall cover the period determined by the budget director, and shall be made available to the commission within the department of workforce development before review by the budget committee.

(6) To make, or cause to be made, studies of the needs for various types of postsecondary education and to make recommendations to the general assembly and the governor concerning the organization of these programs. The commission shall make or cause to be made studies of the needs for various types of postsecondary vocational education and shall submit to the commission on vocational and technical education within the department of workforce development its findings in this regard.

(7) To approve or disapprove the establishment of any new branches, regional or other campuses, or extension centers or of any new college or school, or the offering on any campus of any additional associate, baccalaureate, or graduate degree, or of any additional program of two (2) semesters, or their

equivalent in duration, leading to a certificate or other indication of accomplishment. After March 29, 1971, no state educational institution shall establish any new branch, regional campus, or extension center or any new or additional academic college, or school, or offer any new degree or certificate as defined in this subdivision without the approval of the commission or without specific authorization by the general assembly. Any state educational institution may enter into contractual agreements with governmental units or with business and industry for specific programs to be wholly supported by the governmental unit or business and industry without the approval of the commission.

(8) If so designated by the governor or the general assembly, to serve as the agency for the purposes of receiving or administering funds available for postsecondary education programs, projects, and facilities for any of the acts of the United States Congress where the acts of Congress require the state to designate such an agency or commission. However, this subdivision does not provide for the designation of the commission by the governor as the recipient of funds which may be provided by acts of the United States Congress, received by an agency, a board, or a commission designated by the general assembly.

(9) To designate and employ an executive officer and necessary employees, to designate their titles, and to fix the compensation in terms of the employment.

(10) To appoint appropriate advisory committees composed of representatives of state educational institutions, representatives of private colleges and universities, students, faculty, and other qualified persons.

(11) To employ all powers properly incident to or connected with any of the foregoing purposes, powers, or duties, including the power to adopt rules.

(12) To develop a definition for and report biennially to the:

(A) general assembly;

(B) governor; and

(C) commission on vocational and technical education within the department of workforce development; on attrition and persistence rates by students enrolled in state vocational education.

**(13) To ensure that if a state educational institution provides an academic or vocational education program to students in kindergarten through grade 12 the program is consistent with the state's academic standards under IC 20-10.1-16 and IC 20-10.1-17."**

Page 2, line 25, delete "(as defined in IC 20-10.1-16)" and insert "**under IC 20-10.1-16 and IC 20-10.1-17"**.

Page 2, line 28, after "." insert "**The academic and vocational programs conducted under subdivision (2) must be provided by teachers who meet the requirements specified under IC 20-6.1-3."**

Page 3, line 13, after "Sec. 14." insert "**(a) Any academic and vocational education curricula or program that is provided under this chapter must be:**

**(1) consistent with the state's academic standards under IC 20-10.1-16 and IC 20-10.1-17;**

**(2) offered in a manner that allows students to qualify for diplomas upon successful completion of the state's requirements for high school graduation; and**

**(3) provided by teachers who meet the requirements specified under IC 20-6.1-3.**

**(b)"**.

Page 3, line 18, after "Sec. 14." insert "**(a) Any academic and vocational education curricula or program that is provided under this chapter must be:**

**(1) consistent with the state's academic standards under IC 20-10.1-16 and IC 20-10.1-17;**

**(2) offered in a manner that allows students to qualify for diplomas upon successful completion of the state's requirements for high school graduation; and**

**(3) provided by teachers who meet the requirements specified under IC 20-6.1-3.**

(b)".

Renumber all SECTIONS consecutively.  
(Reference is to HB 1930 as printed February 27, 2001.)

OXLEY

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 1930, begs leave to report that said bill has been amended as directed.

OXLEY

Report adopted.

The question then was, Shall the bill pass?

Roll Call 383: yeas 89, 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 Nugent, Weatherwax, and Bowser.

#### Engrossed House Bill 1938

Representative Becker called down Engrossed House Bill 1938 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid 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 384: 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 Gard, Miller, Server, and Simpson.

#### Engrossed House Bill 2100

Representative Budak called down Engrossed House Bill 2100 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 385: 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 Server and Simpson.

Representative Mannweiler was present.

#### Engrossed House Bill 1947

Representative GiaQuinta called down Engrossed House Bill 1947 for third reading:

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

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

After discussion, Representative GiaQuinta withdrew the call on Engrossed House Bill 1947.

#### Engrossed House Bill 1952

Representative Yount called down Engrossed House Bill 1952 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 386: 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 Merritt and Broden.

#### Engrossed House Bill 1972

Representative V. Smith called down Engrossed House Bill 1972 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?

Roll Call 387: 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 Bray, Bowser, and S. Smith.

#### Engrossed House Bill 1973

Representative Friend called down Engrossed House Bill 1973 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 388: 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 Hershman and Weatherwax.

#### Engrossed House Bill 1975

Representative Friend called down Engrossed House Bill 1975 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 389: 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 Hershman and Weatherwax.

#### Engrossed House Bill 2001

Representative V. Smith called down Engrossed House Bill 2001 for third reading:

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

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

Roll Call 390: 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 Ford, Rogers, and Waterman.

#### Engrossed House Bill 2085

Representative Klinker called down Engrossed House Bill 2085 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 391: 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 Ford and Craycraft.

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

[*Journal Clerk's Note: Roll Call 392 is a machine test and is not printed.*]

### Engrossed House Bill 1600

Representative Porter called down Engrossed House Bill 1600 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 393: 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 sponsor: Senator Lubbers.

### Engrossed House Bill 2115

Representative V. Smith called down Engrossed House Bill 2115 for third reading:

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

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 Whetstone the previous question was called. Roll Call 394: yeas 51, nays 44. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Ford, Bowser, and Waterman.

### Engrossed House Bill 2119

Representative Ripley called down Engrossed House Bill 2119 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.

#### HOUSE MOTION (Amendment 2119-3)

Mr. Speaker: I move that Engrossed House Bill 2119 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 3, between lines 11 and 12, begin a new paragraph and insert: "SECTION 6. IC 14-12-2-26 IS AMENDED TO READ AS FOLLOWS: Sec. 26. The following accounts are established within the fund:

- (1) The state parks account. Money in this account may be used only to purchase property for state park purposes.
- (2) The state forests account. Money in this account may be used only to purchase property for state forest purposes.
- (3) The nature preserves account. Money in this account may be used only to purchase property for nature preserve purposes.
- (4) The fish and wildlife account. Money in this account may be used only to purchase property for fish or wildlife management purposes.
- (5) The outdoor recreation account. Money in this account may be used only to purchase property for outdoor recreation, historic site, or archeological site purposes.

(6) The stewardship account. Money in this account may be used only for the following purposes:

- (A) Maintenance of property acquired under this chapter.
- (B) Costs of removal of structures, debris, and other property that is unsuitable for the intended use of the property to be acquired.
- (C) Costs of site preparation related to any of the following:
  - (i) The public use of the property, such as fences, rest rooms, public ways, trails, and signs.
  - (ii) Protecting or preserving the property's natural environment.
  - (iii) Returning the property to the property's natural state.
- (D) Not more than ~~ten percent (10%)~~ **twenty percent (20%)** of the money in the account for the promotion of the purposes of the Indiana heritage trust program.

(7) The discretionary account. Subject to section 31 of this chapter, money in this account may be used for any purpose for which the accounts listed in subdivisions (1) through (6) may be used."

Renumber all SECTIONS consecutively.

(Reference is to HB 2091 as printed February 23, 2001.)

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 2119, begs leave to report that said bill has been amended as directed.

RIPLEY

Report adopted.

The question then was, Shall the bill pass?

After discussion, Representative Ripley withdrew the call on Engrossed House Bill 2119, as amended.

The Speaker Pro Tempore yielded the gavel to the Speaker.

Representative Bodiker was excused for the rest of the day.

### Engrossed House Bill 2146

Representative Moses called down Engrossed House Bill 2146 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state administration 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 395: yeas 54, nays 42. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Landske and Lewis.

### Engrossed House Bill 2147

Representative Moses called down Engrossed House Bill 2147 for third reading:

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

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

Roll Call 396: yeas 59, 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 sponsor: Senator Kenley.

### Engrossed House Bill 2119

Representative Ripley called down Engrossed House Bill 2119 for third reading:

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

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

HOUSE MOTION  
(Amendment 2119-4)

Mr. Speaker: I move that Engrossed House Bill 2119 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Delete the amendment made on third reading motion of Representative Ripley on HB 2119, adopted March 6, 2001.

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 2119, begs leave to report that said bill has been amended as directed.

RIPLEY

Report adopted.

The question then was, Shall the bill pass?

Roll Call 397: 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 sponsor: Senator Ford.

**Engrossed House Bill 2104**

Representative Porter called down Engrossed House Bill 2104 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 398: 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 Breaux, Lubbers, and Rogers.

**Engrossed House Bill 2026**

Representative Kersey called down Engrossed House Bill 2026 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 2026-2)

Mr. Speaker: I move that Engrossed House Bill 2026 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 2, line 37, after "to" insert "**help**".

Page 2, line 41, after "or" insert "**federal, state, or local**".

Page 3, line 6, delete "may" and insert "**shall**".

Page 3, delete line 18.

Page 3, line 19, delete "(4)" and insert "**(3)**".

Page 3, line 22, delete "shall" and insert "**may**".

Page 3, line 29, after "program." insert "**Participation in this program is voluntary for the drug manufacturers or labelers.**".

Page 3, line 30, after "agreement" insert "**voluntarily entered into under this chapter**".

Page 3, line 33, delete "shall negotiate" and insert "**may consider**".

Page 3, line 34, delete "required from" and insert "**voluntarily provided by**".

Page 3, delete lines 38 through 39.

Page 3, line 40, delete "(2)" and insert "**(1)**".

Page 3, line 41, delete "(3)" and insert "**(2)**".

Page 3, line 42, after "discounts" insert "**, including information provided by the drug manufacturer or labeler**".

Page 4, line 1, delete "The" and insert "**Any**".

Page 4, line 2, delete "The state department shall use its".

Page 4, delete lines 3 through 8.

Page 4, line 9, delete "Sec. 4. (a)" and insert "**Sec. 3.**".

Page 4, line 9, delete "post on its Internet" and insert "**make available upon request a list of the manufacturers and labelers participating in the program.**".

Page 4, delete lines 10 through 19.

Page 6, line 31, after "pay" insert "**voluntary**".

Page 7, line 9, after "a" insert "**voluntary**".

Page 7, line 11, delete "an" and insert "**a certified public accountant**".

Page 7, line 12, delete "independent individual or organization".

Page 7, line 22, after "by the" insert "**voluntary**".

Page 7, line 23, delete "offered" and insert "**agreed to**".

Page 7, line 23, delete "as" and insert ".".

Page 7, delete lines 24 through 25.

(Reference is to HB 2026 as printed February 27, 2001.)

KERSEY

Upon request of Representatives Kruzan and Dobis, the Speaker ordered the roll of the House to be called. Roll Call 399: yeas 51, nays 43. There not being a two-thirds vote in favor of the motion, the motion failed.

Representative Kersey withdrew the call on Engrossed House Bill 2026.

**Engrossed House Bill 1543**

Representative Lytle called down Engrossed House Bill 1543 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 400: 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 Jackman, Lewis, and Nugent.

**Engrossed House Bill 1576**

Representative Mellinger called down Engrossed House Bill 1576 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 401: yeas 74, 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 Altling and Hume.

**Engrossed House Bill 1509**

Representative Stilwell called down Engrossed House Bill 1509 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 402: 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 Server and Hume.

### Engrossed House Bill 1737

Representative Kruzan called down Engrossed House Bill 1737 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 403: 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 Wyss and Simpson.

### Engrossed House Bill 1942

Representative Budak called down Engrossed House Bill 1942 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 404: 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 Zakas, Alexa, and Bowser.

#### HOUSE MOTION

Mr. Speaker: I voted with the majority on the third reading of Engrossed House Bill 1911, Roll Call 333, on March 5, 2001. Pursuant to House Rule 151, I move that Engrossed House Bill 1911, which failed for lack of a constitutional majority, be reconsidered.

FRY

Motion prevailed.

### Engrossed House Bill 1911

The Speaker handed down Engrossed House Bill 1911 for third reading:

A BILL FOR AN ACT concerning utilities.

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

Roll Call 405: yeas 60, 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 sponsor: Senator Server.

## RECOMMENDED CHANGE TO HOUSE RULES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has met and recommends to the House of Representatives that House Rule 148 be amended by adding thereto parts 148.4 and 148.5 to read as follows:

- 148.4 No Senate bill or joint resolution amending the Constitution shall be received by the House after March 10 in the first session or February 9 in the second session.
- 148.5 The limitations set forth in this Rule shall not apply to bills concerning reapportionment or redistricting only.

MOSES, Chair

Report adopted.

#### HOUSE MOTION

Mr. Speaker: I move, pursuant to House Rule 8, that House Rule 148 be amended by adding thereto parts 148.4 and 148.5 to read as follows:

- 148.4 No Senate bill or joint resolution amending the Constitution shall be received by the House after March 10 in the first session or February 9 in the second session.
- 148.5 The limitations set forth in this Rule shall not apply to bills concerning reapportionment or redistricting only.

MOSES

Motion prevailed.

## OTHER BUSINESS ON THE SPEAKER'S TABLE

### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1065, Roll Call 339, on March 6, 2001. In support of this petition, I submit the following reason:

"I was present but unable to reach my seat in time to record my vote. I intended to vote Yea."

BARDON

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 339 to 92 yeas, 0 nays. The corrected roll call is printed with this Journal.]*

### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1083, Roll Call 340, on March 6, 2001. In support of this petition, I submit the following reason:

"I was present but unable to reach my seat in time to record my vote. I intended to vote Yea."

BARDON

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 340 to 93 yeas, 1 nay. The corrected roll call is printed with this Journal.]*

### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1105, Roll Call 341, on March 6, 2001. In support of this petition, I submit the following reason:

"I was present but unable to reach my seat in time to record my vote. I intended to vote Yea."

BARDON

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 341 to 94 yeas, 0 nays. The corrected roll call is printed with this Journal.]*

### PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1122, Roll Call 342, on March 6, 2001. In support of this petition, I submit the following reason:

"I was present but unable to reach my seat in time to record my vote. I intended to vote Yea."

BARDON

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this*

*changes the vote tally for Roll Call 342 to 80 yeas, 16 nays. The corrected roll call is printed with this Journal.]*

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1156, Roll Call 344, on March 6, 2001. In support of this petition, I submit the following reason:

“I was present but unable to reach my seat in time to record my vote. I intended to vote Yea.”

BARDON

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 344 to 91 yeas, 0 nays. The corrected roll call is printed with this Journal.]*

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1277, Roll Call 350, on March 6, 2001. In support of this petition, I submit the following reason:

“I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Yea button when I intended to vote Nay.”

M. SMITH

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 350 to 71 yeas, 23 nays. The corrected roll call is printed with this Journal.]*

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1455, Roll Call 361, on March 6, 2001. In support of this petition, I submit the following reason:

“I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Yea button when I intended to vote Nay.”

AYRES

There being a constitutional majority voting in favor of the petition, the petition was adopted.

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1455, Roll Call 361, on March 6, 2001. In support of this petition, I submit the following reason:

“I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Yea button when I intended to vote Nay.”

BECKER

There being a constitutional majority voting in favor of the petition, the petition was adopted.

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1455, Roll Call 361, on March 6, 2001. In support of this petition, I submit the following reason:

“I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Yea button when I intended to vote Nay.”

BUDAK

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: adoption of the petition of Representatives Ayres, Becker, and Budak changes the vote tally for Roll Call 361 to 61 yeas, 35 nays. The corrected roll call is printed with this Journal.]*

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1902, Roll Call 381, on March 6, 2001. In support of this petition, I submit the following reason:

“I was present but was unable to reach my seat in time to record my vote. I intended to vote Yea.”

DUNCAN

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 381 to 93 yeas, 0 nays. The corrected roll call is printed with this Journal.]*

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1909, Roll Call 382, on March 6, 2001. In support of this petition, I submit the following reason:

“I was present but was unable to reach my seat in time to record my vote. I intended to vote Yea.”

HERRELL

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 382 to 83 yeas, 8 nays. The corrected roll call is printed with this Journal.]*

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 2031, Roll Call 343, on March 6, 2001. In support of this petition, I submit the following reason:

“I was present but unable to reach my seat in time to record my vote. I intended to vote Yea.”

BARDON

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 343 to 94 yeas, 0 nays. The corrected roll call is printed with this Journal.]*

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 T. Adams, Aguilera, Alderman, Atterholt, Avery, Ayres, Bardon, Bauer, Becker, Behning, Bischoff, Bodiker, Bosma, Bottorff, C. Brown, T. Brown, Buck, Budak, Buell, Burton, Cheney, Cherry, Cochran, Cook, Crawford, Crooks, Crosby, Day, Denbo, Dickinson, Dillon, Dobis, Dumezich, Dvorak, Espich, Foley, Frenz, Friend, Frizzell, Fry, GiaQuinta, Goeglein, Goodin, Gregg, Grubb, Harris, Hasler, Herndon, Hinkle, Hoffman, Kersey, Klinker, Kromkowski, Kruse, Kruzan, Kuzman, L. Lawson, Leuck, Liggett, 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, Tincher, Torr, Turner, Ulmer, Weinzapfel, Welch, Whetstone, Wolkins, D. Young, and Yount be added as coauthors of Engrossed House Bill 1056.

DUNCAN

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 Bottorff be added as coauthor of House Bill 1156.

COOK

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Munson be added as coauthor of House Bill 1310.

BOTTORFF

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Whetstone be added as coauthor of House Bill 1455.

KUZMAN

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 Murphy, Dillon, Cheney, L. Lawson, Pond, Hoffman, Scholer, Kersey, Klinker, Behning, and Bodiker be added as coauthors of House Bill 1692.

PORTER

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 Espich be added as coauthor of House Bill 1811.

CROSBY

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Ayres be added as coauthor of House Bill 1887.

PELATH

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Budak be added as coauthor of House Bill 1930.

OXLEY

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 Crosby and Dickinson be added as coauthors of House Bill 1964.

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 House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Summers, Kruse, and Budak be added as coauthors of House Bill 2034.

KRUZAN

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

On the motion of Representative Hasler the House adjourned at 10:50 p.m., this sixth day of March, 2001, until Wednesday, March 7, 2001, at 1:00 p.m.

JOHN R. GREGG

Speaker of the House of Representatives

LEE ANN SMITH

Principal Clerk of the House of Representatives