



Journal of the House

State of Indiana

112th General Assembly

First Regular Session

Fifty-second Meeting Day

Wednesday Afternoon

April 25, 2001

The House convened at 1:30 p.m. with the Speaker Pro Tempore, Representative Dobis, in the Chair.

The invocation was offered by Father William Munshower, St. Thomas Aquinas Catholic Church, Indianapolis, the guest of Representative Brian K. Hasler.

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

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

T. Adams	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

a quorum in attendance. [NOTE: • indicates those who were excused.]

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Engrossed Senate Bills 160, 255, and 547.

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 President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1585:

Conferees: Clark and Lanane
Advisors: Wyss and Broden

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 President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1776:

Conferees: Miller and Hume
Advisors: Landske and Sipes

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 President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1837:

Conferees: Long and Lanane

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 House Concurrent Resolutions 34, 46, 60, 78, and 98 and the same are herewith returned to the House.

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 Resolutions 8, 9, 31, and 107 and the same are herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

Roll Call 655: 98 present; 2 excused. The Speaker announced

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT ESB 376-1; filed April 24, 2001, at 5:07 p.m.

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 376 respectfully reports that said two committee have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 1, delete lines 1 through 9.

Page 2, between lines 19 and 20, begin a new paragraph and insert: "SECTION 3. IC 20-8.1-5.1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) As used in this section, "firearm" has the meaning set forth in IC 35-47-1-5.

(b) **As used in this section, "bomb" has the meaning set forth in IC 35-41-1-4.3.**

(c) As used in this section, "deadly weapon" has the meaning set forth in IC 35-41-1-8. The term does not include a firearm **or bomb.**

(~~e~~) **(d)** Notwithstanding section 14 of this chapter, a student who is:

(1) identified as bringing a firearm **or bomb** to school or on school property; or

(2) in possession of a firearm **or bomb** on school property;

must be expelled for a period of at least one (1) calendar year, with the return of the student to be at the beginning of the first school semester after the end of the one (1) year period.

(~~f~~) **(e)** The superintendent may, on a case-by-case basis, modify the period of expulsion under subsection (~~e~~) **(d)** for a student who is expelled under this section.

(~~e~~) **(f)** Notwithstanding section 14 of this chapter, a student who is:

(1) identified as bringing a deadly weapon to school or on school property; or

(2) in possession of a deadly weapon on school property;

may be expelled for a period of not more than one (1) calendar year.

(~~f~~) **(g)** A superintendent **or the superintendent's designee** shall **immediately** notify the ~~prosecuting attorney of the county in which appropriate law enforcement agency having jurisdiction over the property where the school is located~~ if a student is ~~expelled under engages in a behavior described in subsection (~~e~~) or (~~e~~).~~ **(d).** **The superintendent may give similar notice if the student engages in a behavior described in subsection (f).** Upon receiving notification under this subsection, the ~~prosecuting attorney law enforcement agency~~ shall begin an investigation and take appropriate action.

(~~g~~) **(h)** A student with disabilities (as defined in IC 20-1-6.1-7) who possesses a firearm on school property is subject to procedural safeguards under 20 U.S.C. 1415."

Page 3, delete line 7.

Renumber all SECTIONS consecutively.

(Reference is to ESB 376 as printed April 9, 2001.)

WYSS	C. BROWN
SIPES	FRIZZELL
Senate Conferees	House Conferees

The conference committee report was filed and read a first time.

RESOLUTIONS ON FIRST READING

House Resolution 124

Representative Kuzman introduced House Resolution 124:

A RESOLUTION honoring Andrew Brian Wingate on the occasion of his achieving the rank of Eagle Scout.

Whereas, The Eagle Scout Award is a uniquely prestigious award—the highest rank that a Scout can earn;

Whereas, Fewer than two and one half percent of all Scouts in the 86 years of Scouting in America have achieved the rank of Eagle Scout;

Whereas, The candidate for Eagle Scout must fulfill requirements in the areas of leadership, service, and outdoor skills as he advances from Tenderfoot through the ranks of Eagle Scout;

Whereas, This entire process is designed to broaden the Scout's knowledge and understanding of the many vocational opportunities available to aid him in choosing his career;

Whereas, Upon successful completion of all the requirements and a review by a Board of Review, the Scout receives his Eagle Badge and Medal at a Court of Honor;

Whereas, The new Eagle Scout then joins an elite group that includes U.S. presidents, members of Congress, astronauts, writers, entertainers, scientists, and judges;

Whereas, Andrew Wingate became a member of this elite group on March 10, 2001, when his brother presented his award to him at the First United Methodist Church, Crown Point, Indiana;

Whereas, The project that enabled Andrew to achieve his Eagle rank was the landscaping of a 16 x 50 foot area in front of the Range Line Presbyterian Church in Hebron, Indiana;

Whereas, In addition to his interest in scouting, Andrew has been a member of the Lowell Senior High School academic decathlon team, is a current member of the Lake Dalecarlia Volunteer Fire Department, and is planning to attend Indiana University to study business and history; and

Whereas, The charge of an Eagle Scout states that the foremost responsibility of an Eagle Scout is to live with honor and his second responsibility is loyalty - living life by adhering to these two charges will improve it and the lives of those around the Eagle Scout: 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 Andrew Brian Wingate on achieving the rank of Eagle Scout.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Andrew Brian Wingate and his family.

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

House Resolution 125

Representative Bodiker introduced House Resolution 125:

A HOUSE RESOLUTION expressing support for the implementation of policies to assist in protecting and promoting the health and welfare of the citizens of Indiana.

Whereas, The Education Committee of the Indiana House of Representatives supports the implementation of policies to assist in protecting and promoting the health and welfare of the citizens of Indiana;

Whereas, In order to better protect the children of each public and nonpublic school, the state chemist appointed under IC 15-3-3-2 and a representative from each public and nonpublic school in Indiana should be directed to report to the Chairman and the members of the Education Committee of the Indiana House of Representatives not later than December 1, 2001, regarding the progress of each school toward the adoption of policies and procedures to prevent adverse effects of pesticide use in the schools; and

Whereas, Interested parties are encouraged to lend their expertise to assist each public and nonpublic school in Indiana in the development of policies and procedures to prevent adverse effects on students and employees from the use of pesticides in the schools: 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, including the members of the Education Committee, support the implementation of policies and procedures to prevent adverse effects of pesticide use in public and nonpublic schools to assist in protecting and promoting the health and welfare of the citizens of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the State Chemist appointed under IC 15-3-3-2 and to the State Superintendent of Education.

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

House Resolution 126

Representatives Bosma, Gregg, Adams, Alderman, Atterholt, Ayres, Bardon, Becker, Behning, Bischoff, Bodiker, Bottorff, C. Brown, T. Brown, Buck, Budak, Buell, Burton, Cheney, Cherry, Cochran, Crooks, Crosby, Day, Denbo, Dickinson, Dillon, Dobis, Dumezich, Duncan, Espich, Foley, Frenz, Friend, Frizzell, Fry, GiaQuinta, Goeglein, Grubb, Harris, Herndon, Herrell, Hinkle, Hoffman, Kersey, Kruse, Kuzan, Kuzman, L. Lawson, Leuck, Liggett, J. Lutz, Lytle, Mahern, Mangus, Mannweiler, McClain, Mellinger, Mock, Moses, Munson, Murphy, Oxley, Pelath, Pond, Richardson, Ripley, Ruppel, Saunders, Scholer, M. Smith, V. Smith, Steele, Stevenson, Stilwell, Sturtz, Summers, Thompson, Torr, Turner, Ulmer, Weinzapfel, Welsh, Whetstone, Wolkins, D. Young, and Yount introduced House Resolution 126:

A HOUSE RESOLUTION to establish February 6, 2001 as Ronald Reagan Day.

Whereas, Ronald Reagan turned 90 years old on February 6, 2001;

Whereas, His economic package spurred growth and helped to create the greatest economy ever known to man;

Whereas, His defense policies helped to bring about the demise of the Soviet Union, bringing freedom to hundreds of millions of people around the world ;

Whereas, Many younger Americans are not fully aware of the enormity of Reagan's legacy and his positive impact on the world;

Whereas, A resolution in our state can help children learn of his achievements; and

Whereas, President Reagan deserves to be recognized: Therefore:

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

SECTION 1. That the House of Representatives of the Indiana General Assembly establishes February 6, 2001 as Ronald Reagan Day.

SECTION 2. That the Principal Clerk of the Indiana House of Representatives transmit a copy of this resolution to the Ronald Reagan Legacy Project and to Representatives Frizzell, Pond, Whetstone, Hinkle, Ripley, Hoffman, Mangus, Saunders, Dumezich, Atterholt, Yount, Bosma, Cherry, Thompson, Saunders, Burton, Kruse, Ruppel, Alderman, Budak, M. Smith, and to staff members Leslie Hiner, Joe McLain, Mike Barnhart, Julie Halbig and Tami Miller and interns Stephanie York and Joe Frank.

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

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 4:40 p.m. with the Speaker in the Chair.

Representative Murphy was present. Representatives Buell, Cherry, Cochran, Espich, Frizzell, Harris, Mellinger, Robertson, Steele, Turner, and Whetstone were excused.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT

ESB 204-1; filed April 25, 2001, at 1:34 p.m.

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 204 respectfully reports that said two committee have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 1, delete lines 1 through 9.

Page 2, delete line 25.

Renumber all SECTIONS consecutively.

(Reference is to ESB 204 as printed April 9, 2001.)

LUBBERS	T. ADAMS
ANTICH	THOMPSON
Senate Conferees	House Conferees

The conference committee report was filed and read a first time.

CONFERENCE COMMITTEE REPORT

ESB 456-1; filed April 25, 2001, at 3:10 p.m.

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 456 respectfully reports that said two committee have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 2, delete lines 16 through 42.

Delete pages 3 through 4.

(Reference is to ESB 456 as reprinted April 12, 2001.)

HERSHMAN	GRUBB
R. YOUNG	M. SMITH
Senate Conferees	House Conferees

The conference committee report was filed and read a first time.

CONFERENCE COMMITTEE REPORT

ESB 50-1; filed April 25, 2001, at 3:12.m.

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 50 respectfully reports that said two committee have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 36.

Page 3, delete lines 5 through 32.

Renumber all SECTIONS consecutively.

(Reference is to ESB 50 as printed April 9, 2001.)

C. LAWSON	KLINKER
HOWARD	ALDERMAN
Senate Conferees	House Conferees

The conference committee report was filed and read a first time.

CONFERENCE COMMITTEE REPORT

ESB 33-1; filed April 25, 2001, at 3:13 p.m.

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 33 respectfully reports that said two committee have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 3.
 Page 4, delete lines 1 through 23.
 Page 4, line 36, delete "article" and insert "**chapter**".
 Page 4, line 38, delete "article" and insert "**chapter**".
 Page 5, line 7, delete "A person" and insert "**An individual**".
 Page 5, line 11, delete "a person," and insert "**an individual**".
 Page 5, line 22, delete "A person" and insert "**An individual**".
 Page 5, line 24, delete "A person" and insert "**An individual**".
 Page 5, delete lines 27 through 43.
 Delete pages 6 through 8.
 Page 9, delete lines 1 through 17.
 Page 10, line 25, delete "or".
 Page 10, line 26, after "structure" insert ",".
 Page 10, line 26, after "or" insert "**a**".
 Page 10, delete lines 27 through 42.
 Delete page 11.
 Renumber all SECTIONS consecutively.
 (Reference is to ESB 33 as reprinted April 12, 2001.)

C. MEEKS	L. LAWSON
BOWSER	HERNDON
Senate Conferees	House Conferees

The conference committee report was filed and read a first time.

CONFERENCE COMMITTEE REPORT
 EHB 2130-1; filed April 25, 2001, at 3:32 p.m.

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 2130 respectfully reports that said two committee have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Page 6, line 35, delete "The authority of one".

Page 6, delete lines 36 through 39.

Page 7, between lines 1 and 2, begin a new paragraph and insert:
 "SECTION 4. IC 4-4-28-5 IS AMENDED TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2001]: Sec. 5. As used in this chapter, "individual development account" means an account in a financial institution administered by a community development corporation that allows a qualifying individual to deposit money:

- (1) to be matched by the state, financial institutions, corporations, and other entities; and
- (2) that will be used by the qualifying individual for one (1) or more of the following:

(A) To pay for costs (**including tuition, laboratory costs, books, computer costs, and other costs associated with attendance**) at an accredited institution of higher education or a vocational school for the individual or for a dependent of the individual.

(B) To pay for the costs (**including tuition, laboratory costs, books, computer costs, and other costs**) associated with an accredited or a licensed training program that may lead to employment for the individual or for a dependent of the individual.

(C) To purchase a primary residence for the individual or for a dependent of the individual **or to reduce the principal amount owed on a primary residence that was purchased by the individual or a dependent of the individual with money from an individual development account.**

(D) To begin or to purchase part or all of a business **or to expand an existing small business.**

SECTION 5. IC 4-4-28-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. As used in this chapter, "qualifying individual" means an individual or a member of an individual's household who may establish an individual development account because the individual:

- (1) receives or is a member of a household that receives assistance under IC 12-14-2; or
- (2) is a member of a household with an annual household income that is less than ~~one hundred fifty percent (150%)~~ **one**

hundred seventy-five percent (175%) of the federal income poverty level.

SECTION 6. IC 4-4-28-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. (a) A qualifying individual, **including an individual who:**

- (1) **established an individual development account under this chapter before July 1, 2001; and**
- (2) **held the account described in subdivision (1) for less than four (4) years;**

may establish an account by applying at a community development corporation **after June 30, 2001.**

(b) At the time of establishing an account under this section, the qualifying individual must name a beneficiary to replace the qualifying individual as the holder of the account if the qualifying individual dies. If the beneficiary:

- (1) is a member of the qualifying individual's family, all funds in the account remain in the account; and
- (2) is not a member of the qualifying individual's family, all funds in the account provided by the state revert to the state.

The qualifying individual may change the name of the beneficiary at the qualifying individual's discretion. A beneficiary who becomes the holder of an account under this subsection is subject to this chapter and rules adopted under this chapter regarding withdrawals from the account.

(c) Only one (1) member of a qualifying individual's household may establish an account.

SECTION 7. IC 4-4-28-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2001]: Sec. 10. (a) Not more than eight hundred (800) accounts may be established in the state each year.

(b) A community development corporation shall use money that is in an individual development account fund established under section 13 of this chapter to allow a qualified individual on a waiting list maintained by the community development corporation to establish an account.

~~(c) This section expires July 1, 2001.~~

SECTION 8. IC 4-4-28-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2001]: Sec. 12. (a) The department of commerce shall allocate, for each account that has been established **after June 30, 2001**, for not more than four (4) years, **including any time in which an individual held an individual development account under this chapter before July 1, 2001**, three dollars (\$3) for each one dollar (\$1) an individual deposited into the individual's account during the preceding twelve (12) months. However, the department's allocation under this subsection may not exceed nine hundred dollars (\$900) for each account described in this subsection.

(b) Not later than June 30 of each year, the department of commerce shall deposit into each account established under this chapter the appropriate amount of money determined under this section. **However, if the individual deposits the maximum amount allowed under this chapter on or before December 31 of each year, the individual may request in writing that the department of commerce allocate and deposit the matched funds under subsection (a) into the individual's account not later than forty-five (45) days after the department of commerce receives the written request.**

(c) Money from a federal block grant program under Title IV-A of the federal Social Security Act may be used by the state to provide money under this section for deposit into an account held by an individual who receives assistance under IC 12-14-2.

~~(d) This section expires July 1, 2001.~~

SECTION 9. IC 4-4-28-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16. (a) Money withdrawn from an individual's account is not subject to taxation under IC 6-3-1 through IC 6-3-7 if the money is used for at least one (1) of the following:

- (1) To pay for costs (**including tuition, laboratory costs, books, computer costs, and other costs**) at an accredited institution of higher education or a vocational school for the individual or for a dependent of the individual.
- (2) To pay for the costs (**including tuition, laboratory costs, books, computer costs, and other costs**) associated with an accredited or a licensed training program that may lead to employment for the individual or for a dependent of the

individual.

(3) To purchase a primary residence for the individual or for a dependent of the individual **or to reduce the principal amount owed on a primary residence that was purchased by the individual or a dependent of the individual with money from an individual development account.**

(4) To begin or to purchase part or all of a business **or to expand an existing small business.**

(5) To roll over the account under subsection (c) into a family college savings account program established under IC 21-9-3.

(b) At the time of requesting authorization under section 15 of this chapter to withdraw money from an individual's account under subsection (a)(4), the individual must provide the community development corporation with a business plan that:

(1) is approved by:

(A) a financial institution; or

(B) a nonprofit loan fund that has demonstrated fiduciary stability;

(2) includes a description of services or goods to be sold, a marketing plan, and projected financial statements; and

(3) may require the individual to obtain the assistance of an experienced business advisor.

(c) Upon the expiration of the term of the individual's account under this chapter, an individual may elect to roll over the money from the individual's account directly into a family college savings account program established under IC 21-9-3.

SECTION 10. IC 4-4-28-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2001]: Sec. 18. (a) Each community development corporation shall annually:

(1) evaluate the individual development accounts administered by the community development corporation; and

(2) submit a report containing the evaluation information to the department of commerce.

(b) This section expires July 1, 2001. Two (2) or more community development corporations may work together in carrying out the purposes of this chapter.

SECTION 11. IC 4-4-28-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2001]: Sec. 21. (a) The department of commerce may adopt rules under IC 4-22-2 to implement this chapter.

(b) This section expires July 1, 2001.

Page 8, line 32, delete "IC 4-4-6.1-1.3.)" and insert **"IC 4-4-6.1-1.3)."**

Page 9, between lines 18 and 19, begin a new paragraph and insert: "SECTION 14. IC 6-3.1-18-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) The amount of tax credits allowed under this chapter may not exceed ~~five hundred thousand dollars (\$500,000)~~ **two hundred thousand dollars (\$200,000)** in any state fiscal year.

(b) The department shall:

(1) record the time of filing of each application for allowance of a credit required under section 9 of this chapter; and

(2) approve the applications, if they otherwise qualify for a tax credit under this chapter, in the chronological order in which the applications are filed in the state fiscal year.

(c) When the total credits approved under this section equal the maximum amount allowable in any state fiscal year, an application filed after that time for the same fiscal year may not be approved. However, if an applicant for whom a credit has been approved fails to file the statement of proof of payment required under section 9 of this chapter, an amount equal to the credit previously allowed or set aside for the applicant may be allowed to any subsequent applicant in the year. In addition, the department may, if the applicant so requests, approve a credit application, in whole or in part, with respect to the next succeeding state fiscal year."

Page 9, delete lines 19 through 42.

Delete pages 10 through 14.

Page 15, delete lines 1 through 30.

Page 15, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 15. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2001]: IC 4-4-28-19; IC 4-4-28-20.

SECTION 16. [EFFECTIVE JULY 1, 2001] **Any allocation by the department of commerce under IC 4-4-28-12, as amended by this act, on an individual development account established before July 1, 2001, expires June 30, 2001."**

Renumber all SECTIONS consecutively.

(Reference is to EHB 2130 as printed March 21, 2001.)

KLINKER

SKILLMAN

BUELL

BLADE

House Conferees

Senate Conferees

The conference committee report was filed and read a first time.

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from the Senate amendments to Engrossed House Bill 1636 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

GOODIN

Motion prevailed.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 510

Representative Lytle called down Engrossed Senate Bill 510 for second reading. The bill was reread a second time by title.

HOUSE MOTION

(Amendment 510-2)

Mr. Speaker: I move that Engrossed Senate Bill 510 be amended to read as follows:

Page 3, between lines 25 and 26, begin a new paragraph and insert: **"Sec. 7. All employees of the commission employed within a classification covered by a labor agreement with the state shall continue to be subject to the terms and conditions of the agreement and any subsequent labor agreements with the state. The classifications of employees under this section may not be changed by the commission."**

Page 4, between lines 1 and 2, begin a new line block indented and insert:

"(9) Comply with the terms and conditions of all executive orders issued by the governor."

Page 6, delete lines 4 through 5.

Page 11, line 40, after "applying" insert **"to"**.

(Reference is to ESB 510 as printed April 23, 2001.)

LYTLE

Motion prevailed.

HOUSE MOTION

(Amendment 510-1)

Mr. Speaker: I move that Engrossed Senate Bill 510 be amended to read as follows:

Page 2, delete lines 27 through 28.

Page 2, line 41, delete **"Six (6)"** and insert **"Eight (8)"**.

Page 2, line 42, delete **"six (6)"** and insert **"eight (8)"**.

(Reference is to SB 510 as reprinted April 23, 2001.)

KRUSE

Motion prevailed. The bill was ordered engrossed.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House reconsider its action whereby it dissented from the Senate amendments to Engrossed House

Bill 1249 and that the House now concur in the Senate amendments to said bill.

AVERY

Roll Call 656: yeas 86, nays 1. Motion prevailed.

Representative Whetstone was present.

HOUSE MOTION

Mr. Speaker: I move that the House reconsider its action whereby it dissented from the Senate amendments to Engrossed House Bill 1288 and that the House now concur in the Senate amendments to said bill.

FRENZ

Roll Call 657: yeas 88, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House reconsider its action whereby it dissented from the Senate amendments to Engrossed House Bill 1591 and that the House now concur in the Senate amendments to said bill.

FRENZ

Roll Call 658: yeas 89, nays 0. Motion prevailed.

Representatives Bottorff, Day, Foley, Fry, Hasler, Mock, Ripley, Summers, and Ulmer were excused.

HOUSE MOTION

Mr. Speaker: I move that the House reconsider its action whereby it dissented from the Senate amendments to Engrossed House Bill 1845 and that the House now concur in the Senate amendments to said bill.

C. BROWN

Roll Call 659: yeas 69, nays 10. Motion prevailed.

Representative Summers was present.

HOUSE MOTION

Mr. Speaker: I move that the House reconsider its action whereby it dissented from the Senate amendments to Engrossed House Bill 1901 and that the House now concur in the Senate amendments to said bill.

AVERY

Roll Call 660: yeas 75, nays 5. Motion prevailed.

Representatives Foley, Fry, and Ulmer were present.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1829.

AGUILERA

Roll Call 661: yeas 81, nays 2. Motion prevailed.

Representatives Mock and Ripley were present.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1541.

DILLON

Roll Call 662: yeas 85, nays 0. Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 8

The Speaker handed down Senate Concurrent Resolution 8, sponsored by Representatives Friend and McClain:

A CONCURRENT RESOLUTION congratulating Betsy Bobel on her selection as Miss Indiana 2000.

Whereas, On a Friday night in June, Betsy Bobel of Peru, Indiana, was crowned Miss Indiana 2000;

Whereas, With this crowning, Betsy began her year-long ambassadorship for the state of Indiana;

Whereas, As Miss Indiana, Betsy competed in the Miss America Pageant in Atlantic City;

Whereas, In addition to the title of Miss Indiana, Betsy also won the preliminary swimsuit competition and tied with three other contestants in the talent competition;

Whereas, Betsy is the daughter of David and Mina Bobel and the sister of Bridget;

Whereas, In addition to her beauty, Betsy is an excellent student;

Whereas, While attending Ball State University, she was named to the Dean's List, was a member of Phi Upsilon Omicron honorary sorority, and was the recipient of the Academic Athletic Presidential Award;

Whereas, In addition to her academic activities, Betsy was a member of the Peru Amateur Circus for 15 years, performing tumbling and trapeze acts. She also designed and published a recipe coloring book for children, promoted calcium consumption for the Indiana Dairy Council, and volunteered for the Circus City Festival, WIC, and Meals on Wheels;

Whereas, Upon completion of her reign as Miss Indiana, Betsy plans to enter Purdue University-Calumet to begin studying for her master's degree in communications: 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 wishes to congratulate Betsy Bobel for being crowned Miss Indiana 2000 and to wish her success throughout her year-long reign.

SECTION 2. That a copy of this resolution be transmitted by the Secretary of the Senate to Betsy Bobel and her family.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 9

The Speaker handed down Senate Concurrent Resolution 9, sponsored by Representative Porter:

A CONCURRENT RESOLUTION honoring Kathy Alfke on her selection as the 2000 Teacher of the Year by the National Right to Read Foundation (NRRF).

Whereas, On Friday, October 13, 2000, in the office of Dr. Suellen Reed, state superintendent of public instruction, Kathy Alfke was named the 2000 Teacher of the Year by the National Right to Read Foundation (NRRF);

Whereas, This award is presented each year by the NRRF to one teacher selected from the entire nation who has exerted a tremendous effort to restore reading literacy in the classroom by emphasizing the skills of explicit intensive systematic phonics;

Whereas, Kathy personifies the requirement put forth by the NRRF;

Whereas, When Kathy became frustrated with the way reading was being taught in Indiana's schools, she took a leave of absence from her classroom in order to find a better way to provide successful reading skills to her students;

Whereas, It is this type of determination that makes Kathy such a successful teacher, a teacher loved by her students and their parents alike;

Whereas, In addition to being named 2000 Teacher of the Year by the NRRF, Kathy received the Teacher Creativity Grant from the Lily Endowment in 1989, an award given to only 80 teachers in the state;

Whereas, Kathy was also voted one of the top ten teachers of the year for Indianapolis Public Schools in 1991 and was awarded the National Literacy Advocate Award from the James Flanigan Foundation and UPS;

Whereas, Kathy has enjoyed recognition from the Indiana press when she was interviewed by the Indianapolis Star and her story appeared in the special feature entitled Reading Revolution on January 9, 2000;

Whereas, Kathy is an Indiana State University graduate with a bachelor's degree in education and is licensed to teach grades 1 through 6 with a reading endorsement that was professionalized in 1986;

Whereas, Kathy received her master's degree from IUPUI in 1986;

Whereas, Kathy has 16 years of teaching experience, 15 of which have been with Indianapolis Public Schools;

Whereas, Kathy has a firm belief that educators must forge partnerships with families, civic organizations, and social service agencies in order to establish a support system for our children that can enhance their chances for success; and

Whereas, An exemplary teacher, Kathy represents the best of the teaching profession with her positive contributions, compassion, and enthusiasm, which are needed in the teaching profession today if our children are to succeed in the future: 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 wishes to congratulate Kathy Alfke on her selection as the 2000 Teacher of the Year, to commend her on a job well done, and to wish her continued success in her future endeavors.

SECTION 2. That a copy of this resolution be transmitted by the Secretary of the Senate to Kathy Alfke and her family and to Rubie Crockett, principal of Riverside School No. 44.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 31

The Speaker handed down Senate Concurrent Resolution 31, sponsored by Representative Dillon:

A CONCURRENT RESOLUTION congratulating the Whitko Future Farmers of America chapter for its numerous recent accomplishments.

Whereas, The Livestock, Dairy, and Meats Judging teams of the Whitko Future Farmers of America (FFA) chapter claimed top state and national honors in various recent competitions;

Whereas, The Livestock Judging team, consisting of Liza Moore, Cara Badskey, Rita Wilkinson, and Stacie Warner, won the 2000 State FFA Livestock Judging Championship at Purdue University, and proceeded to earn a gold emblem ranking while representing Indiana at the National FFA Convention;

Whereas, The Dairy Judging team, consisting of Trent Wilkinson, Jewel Wise, Gretchen Imhoff, and coach David Metzger, won the 2000 State FFA Livestock Judging Championship at Purdue University, and thereafter earned a gold emblem ranking while representing Indiana at the National FFA Convention;

Whereas, The Meats Judging team recently won the State 4-H and FFA State Meats Judging Championships, and they will represent Indiana in the upcoming National competition;

Whereas, Trent Wilkinson, Tayler Kreider, Pam Oulsey, and Leslie Weisenberger constituted the FFA State Meats Judging team, and Phil Camden, Matt Metzger, Wendy Delacruz, and Jeremiah Geiger formed the 4-H State counterpart;

Whereas, Individually, Liza Moore claimed first place at the State Extemp Public Speaking contest, advancing to Nationals and

placing as Reserve National Champion; and

Whereas, In addition, Liza was appointed to serve in the honorable positions of Female State FFA Ambassador and as a State FFA officer: Therefore,

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

SECTION 1. The Indiana General Assembly is proud to recognize the members of the Whitko FFA chapter and their coach, Roger Carr, for their demonstration of commitment, hard work, and concern for their community, as exhibited by their aforementioned successes.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Whitko FFA coach Roger Carr and to each of the various team members of the Whitko FFA chapter.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 107

The Speaker handed down Senate Concurrent Resolution 107, sponsored by Representatives Crooks and Frenz:

A CONCURRENT RESOLUTION honoring Tony Rothrock, distinguished musician, teacher of various stringed instruments, mentor for young musicians, and tireless advocate for the preservation of the music of our Hoosier heritage.

Whereas, Tony Rothrock, native of Winslow, Indiana, has been the driving force behind the continued growth and enjoyment of old time string music in Indiana;

Whereas, Tony Rothrock is one of the founders of the Pike County Old Time Music Association and currently serves as its chairman;

Whereas, Every June, near Petersburg, Indiana, Tony Rothrock is the primary organizer, fundraiser, and director of the annual "Official State Picking and Fiddling Contest" for the state of Indiana which is considered to be one of the premier events of its kind in the nation;

Whereas, Tony Rothrock will be featured in veteran Evansville television journalist, Hal Wolford's book, "When Cameras Were Round";

Whereas, When Tony Rothrock is not performing or teaching, one may find him at his musical instrument repair shop where this master craftsman repairs and refurbishes stringed instruments from all over the tri-state area and around the nation; and

Whereas, Mr. Rothrock's untiring efforts have advanced the cause of old time music, helped teach young musicians, and helped to preserve an historic art form: 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 General Assembly hereby honors Tony Rothrock, a musical treasure who has made many contributions to the art of old time music.

SECTION 2. That the Principal Clerk of the Senate transmit a copy of this resolution to Tony Rothrock and Hal Wolford.

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.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 63	Conferees: Dvorak and D. Young Advisors: GiaQuinta and Goegelein
ESB 96	Conferees: Kuzman and Alderman Advisors: Dobis and Duncan

ESB 110 Conferees: Crosby and Budak
Advisors: Dickinson and Saunders

ESB 190 Conferees: Weinzapfel and Foley
Advisors: Dvorak and Steele

ESB 216 Conferees: Crawford and Becker
Advisors: Tincher and T. Brown

ESB 226 Conferees: Weinzapfel and Wolkins
Advisors: Herrell, Mangus, and Stilwell

ESB 240 Conferees: Crooks and Dumezich
Advisors: Cook and McClain

ESB 263 Conferees: Stilwell and D. Young
Advisors: Summers and Kruse

ESB 309 Conferees: Crawford and Frizzell
Advisors: Tincher and Buell

ESB 329 Conferees: Kromkowski and Whetstone
Advisors: Moses and Richardson

ESB 350 Conferees: Cook and Murphy
Advisors: Fry and Ulmer

ESB 361 Conferees: Lytle and Foley
Advisors: Stilwell, Ruppel, Liggett, and Dickinson

ESB 395 Conferees: Kromkowski and Whetstone
Advisors: Crosby and Richardson

ESB 418 Conferees: Fry and McClain
Advisors: Cook and Duncan

ESB 424 Conferees: Grubb and Friend
Advisors: Leuck and Cherry

ESB 428 Conferees: C. Brown and Dillon
Advisors: Welch and Ulmer

ESB 436 Conferees: Crawford and Goelein
Advisors: GiaQuinta, T. Brown, and Buck

ESB 444 Conferees: Bischoff and Herndon
Advisors: Mellinger and Duncan

ESB 466 Conferees: Dvorak and D. Young
Advisors: Kuzman and Ayres

ESB 471 Conferees: Crosby and Burton
Advisors: Klinker and Frizzell

ESB 489 Conferees: Crooks and Ripley
Advisors: Bardon and Scholer

ESB 524 Conferees: Bauer and Espich
Advisors: Crawford, Buell, and Friend

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

EHB 1585 Conferees: Alderman replacing Burton
Advisors: Mannweiler replacing Hinkle

ESB 263 Conferees: Friend replacing D. Young

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Friday, April 27, 2001 at 1:30 p.m.

STURTZ

Motion prevailed.

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 1574, Roll Call 189, on February 21, 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. *[Journal Clerk's note: this changes the vote tally for Roll Call 189 to 53 yeas, 43 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 cosponsors and that Representative Stevenson be added as cosponsor of Engrossed Senate Bill 436.

CRAWFORD

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

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Crooks the House adjourned at 5:10 p.m., this twenty-fifth day of April, 2001, until Friday, April 27, 2001, at 1:30 p.m.

JOHN R. GREGG

Speaker of the House of Representatives

LEE ANN SMITH

Principal Clerk of the House of Representatives