



# Journal of the House

State of Indiana

121st General Assembly

First Regular Session

First Day

Tuesday Afternoon

November 20, 2018

The members-elect of the House of Representatives of the General Assembly of the State of Indiana assembled in the House Chambers in the State House in the City of Indianapolis on Tuesday, the twentieth day of November, 2018, A.D., at 1:00 p.m., being the day fixed by law, IC 2-2.1-1-2, for the convening of the first regular session of the General Assembly, viz:

"The first regular session of each term of the general assembly shall convene on the third Tuesday after the first Monday of November of each even-numbered year to do the following:

- (1) Organize itself.
- (2) Elect its officers.
- (3) Receive the oath of office."

The invocation was offered by Pastor Kevin Roth of Grace Church in Fishers, a guest of Speaker Brian C. Bosma.

The House was called to order by The Honorable Connie Lawson, Secretary of State.

The Pledge of Allegiance to the Flag was led by Representative-elect Karickhoff.

## ROLL CALL OF MEMBERS

The Secretary of State directed that the roll be called and the following members-elect answered to their names:

(R) **David H. Abbott** (District 82, Allen, Elkhart, LaGrange, Noble, and Whitley Counties)

(D) **Terri Jo Austin** (District 36, Madison County)

(R) **Mike Aylesworth** (District 11, Lake and Porter Counties)

(R) **Ronald A. Bacon** (District 75, Pike, Spencer, and Warrick Counties)

(R) **Beau Baird** (District 44, Clay, Morgan, Owen, Parke, Putnam Counties)

(R) **Bradford J. Barrett** (District 56, Wayne County)

(R) **Stephen R. Bartels** (District 74, Crawford, Dubois, Orange, Perry, Spencer Counties)

(D) **John L. Bartlett** (District 95, Marion County)

(D) **B. Patrick Bauer** (District 6, St. Joseph County)

(D) **Lisa Beck** (District 19, Lake and Porter Counties)

(R) **Robert W. Behning** (District 91, Hendricks and Marion Counties)

(R) **Bruce Borders** (District 45, Daviess, Greene, Knox, Sullivan, and Vigo Counties)

(R) **Brian C. Bosma** (District 88, Hamilton, Hancock, and Marion Counties)

(D) **Pat Boy** (District 9, LaPorte and Porter Counties)

(R) **Timothy N. Brown** (District 41, Boone, Montgomery, and Tippecanoe Counties)

(R) **Charles W. "Woody" Burton** (District 58, Johnson County)

(D) **Chris Campbell** (District 26, Tippecanoe County)

(D) **Mara Candelaria Reardon** (District 12, Lake County)

(R) **Martin J. Carbaugh** (District 81, Allen County)

(R) **Robert W. Cherry** (District 53, Hancock and Madison Counties)

(D) **Chris Chyung** (District 15, Lake County)

(R) **Edward D. Clere** (District 72, Floyd County)

(R) **Tony J. Cook** (District 32, Delaware, Grant, Hamilton, Howard, Madison, and Tipton Counties)

(R) **Steven J. Davisson** (District 73, Clark, Harrison, Jackson, Lawrence, Orange, and Washington Counties)

(D) **Ross J. Deal** (District 7, St. Joseph County)

(D) **Edward O. DeLaney** (District 86, Marion County)

(R) **Dale R. DeVon** (District 5, St. Joseph County)

(D) **Ryan M. Dvorak** (District 8, LaPorte and St. Joseph Counties)

(R) **Sean R. Eberhart** (District 57, Bartholomew, Hancock and Shelby Counties)

(R) **Jeff Ellington** (District 62, Daviess, Greene, Martin, and Monroe Counties)

(R) **Karen Engleman** (District 70, Clark, Floyd, and Harrison Counties)

(D) **Sue E. Errington** (District 34, Delaware County)

(D) **Rita Fleming** (District 71, Clark County)

(D) **Dan P. Forestal** (District 100, Marion County)

(R) **David N. Frizzell** (District 93, Johnson and Marion Counties)

(R) **Randall L. Frye** (District 67, Dearborn, Decatur, Jefferson, Jennings, Ohio, Ripley, and Switzerland Counties)

(D) **Philip K. GiaQuinta** (District 80, Allen County)

(D) **Terry A. Goodin** (District 66, Clark, Jefferson, and Scott Counties)

(R) **Charles D. Goodrich** (District 29, Hamilton County)

(R) **Douglas L. Gutwein** (District 16, Fulton, Jasper, Newton, Pulaski, and Starke Counties)

(D) **Carey Hamilton** (District 87, Marion County)

(D) **Earl Harris** (District 2, Lake County)

(D) **Ragen H. Hatcher** (District 3, Lake County)

(D) **Ryan D. Hatfield** (District 77, Vanderburgh County)

(R) **Bob A. Heaton** (District 46, Clay, Monroe, Owen, and Vigo Counties)

(R) **Dave Heine** (District 85, Allen County)

(R) **Matthew D. Hostettler** (District 64, Gibson, Knox, Pike, Posey, and Vanderburgh Counties)

(R) **Todd M. Huston** (District 37, Hamilton County)

(D) **Carolyn Jackson** (District 1, Lake County)

(R) **Jack Jordan** (District 17, Fulton and Marshall Counties)

(R) **Christopher N. Judy** (District 83, Allen and Whitley Counties)

(R) **Michael H. Karickhoff** (District 30, Grant and Howard Counties)

(D) **Sheila A. Klinker** (District 27, Tippecanoe County)

(R) **Ryan Lauer** (District 59, Bartholomew County)

(R) **Donald J. Lehe** (District 25, Carroll, Cass, Clinton, Tippecanoe, and White Counties)

(R) **Matthew S. Lehman** (District 79, Adams, Allen, and Wells Counties)

(R) **Daniel J. Leonard** (District 50, Allen, Huntington and Wells Counties)

(R) **Shane Lindauer** (District 63, Daviess, Dubois, Martin, and Pike Counties)

(R) **Jim T. Lucas** (District 69, Bartholomew, Jackson, Jefferson, and Jennings Counties)

(R) **Randy Lyness** (District 68, Dearborn, Franklin, and Union Counties)

(D) **Karlee D. Macer** (District 92, Marion County)

(R) **Kevin A. Mahan** (District 31, Blackford, Delaware, Grant, and Wells Counties)

(R) **Ethan E. Manning** (District 23, Cass, Fulton, and Miami Counties)

(R) **Chris D. May** (District 65, Brown, Jackson, Johnson, Lawrence, and Monroe Counties)

(R) **Peggy M. Mayfield** (District 60, Monroe and Morgan Counties)

(R) **Wendy M. McNamara** (District 76, Posey and Vanderburgh Counties)

(R) **Doug Miller** (District 48, Elkhart County)

(D) **Justin W. Moed** (District 97, Marion County)

(R) **Robert D. Morris** (District 84, Allen County)

(R) **Alan P. Morrison** (District 42, Clay, Fountain, Parke, Vermillion, Vigo, and Warren Counties)

(D) **Charles "Chuck" A. Moseley** (District 10, Porter County)

(R) **Sharon K. Negele** (District 13, Benton, Fountain, Jasper, Montgomery, Newton, Tippecanoe, Warren, and White Counties)

(R) **Curt Nisly** (District 22, Elkhart and Kosciusko Counties)

(D) **Matt Pierce** (District 61, Monroe County)

(D) **Gregory W. Porter** (District 96, Marion County)

(R) **J.D. Prescott** (District 33, Blackford, Delaware, Jay, and Randolph Counties)

(R) **Jim Pressel** (District 20, LaPorte and Starke Counties)

(D) **Cherrish S. Pryor** (District 94, Marion County)

(R) **Thomas E. Saunders** (District 54, Henry, Rush, and Wayne Counties)

(R) **Donna Schaibley** (District 24, Boone and Hamilton Counties)

(D) **Robin C. Shackelford** (District 98, Marion County)

(R) **Benjamin C. Smaltz** (District 52, Allen, Dekalb, and Steuben Counties)

(D) **Vernon G. Smith** (District 14, Lake County)

(R) **Edmond L. Soliday** (District 4, Porter County)

(R) **Michael R. Speedy** (District 90, Marion County)

(R) **Gregory E. Steuerwald** (District 40, Hendricks County)

(R) **Christy Stutzman** (District 49, Elkhart County)

(R) **Holli Anne Sullivan** (District 78, Vanderburgh and Warrick Counties)

(D) **Vanessa J. Summers** (District 99, Marion County)

(R) **Jeffrey A. Thompson** (District 28, Boone and Hendricks Counties)

(R) **Jerry Torr** (District 39, Hamilton County)

(R) **Heath R. VanNatter** (District 38, Carroll, Cass, Clinton, and Howard Counties)

(R) **Timothy C. Wesco** (District 21, Elkhart and St. Joseph Counties)

(R) **David A. Wolkins** (District 18, Grant, Kosciusko, Miami, and Wabash Counties)

(D) **Melanie Wright** (District 35, Delaware and Madison Counties)

(R) **John T. Young** (District 47, Johnson and Morgan Counties)

(R) **Dennis J. Zent** (District 51, LaGrange and Steuben Counties)

(R) **Cindy M. Ziemke** (District 55, Decatur, Fayette, Franklin, Ripley, and Rush Counties)

Roll Call 1: 98 present. Representatives-elect Cynthia L. Kirchhofer (District 89, Marion County) and Tonya Pfaff (District 43, Vigo County) were excused. The Secretary of State announced a quorum in attendance.

### OATH OF OFFICE OF MEMBERS

The members-elect rose and were administered the oath of office by The Honorable Loretta Rush, Chief Justice of the Supreme Court, which oath is as follows:

"I do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of Indiana and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

### ORGANIZATION OF THE HOUSE

The Secretary of State called for nominations for Speaker of the House and recognized Representative Matthew Lehman for a nomination.

"Madam Secretary, I hereby nominate Brian C. Bosma to be Speaker of the House of Representatives for the 121st<sup>th</sup> General Assembly."

Representative Steuerwald seconded the nomination.

### HOUSE MOTION

Madam Secretary of State: I move that the nominations for Speaker be closed and that Representative Brian C. Bosma be

elected Speaker of the House of Representatives for the 121st Indiana General Assembly by acclamation.

#### GIAQUINTA

Motion prevailed. The Secretary of State declared Representative Brian C. Bosma elected Speaker of the House of Representatives for the 121st General Assembly by acclamation.

#### HOUSE MOTION

Madam Secretary of State: I move that a committee of four (4) members be appointed by the Secretary of State to escort the Speaker-elect to the rostrum.

#### LEHMAN

Motion prevailed. The Secretary of State appointed Representatives Stuzman, Barrett, Hatfield and V. Smith.

The Speaker-elect was escorted to the rostrum. The oath of office was administered by Chief Justice Rush, which oath is as follows:

"I, Brian C. Bosma, do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of Indiana and that I will faithfully and impartially discharge my duties as Speaker of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

#### OPENING REMARKS BY SPEAKER BRIAN C. BOSMA

It is truly an honor and privilege to serve in this capacity for this, my 11th year of doing so. Madam Secretary, thank you for organizing us.

To the members of 121st General Assembly, especially to the 16 new members, welcome. There are so many people to recognize here, I am just going to touch on a few.

My pledge to you, new members and old, is I will do my very best to be fair, to promote civility, and to make you a successful leader here and at home. I know we will disagree on occasion, but we will do our very best to minimize that, to the extent possible.

I want to extend a special welcome to the family and friends of those who are here. My family, Cheryl, and my friends, Jake and Kyle Allen, you are the lead rocks on my team, I know. As I look around and see Joyce Lehman and Jane Brown, and so many other spouses here and significant others – this is a team sport. And we know it as well as anyone that we bring our job home, and we got to vent someplace, and you all are in the room right now. I will say in advance, thank you. Thank you for being a part of the success of this state by supporting those who are here.

To my friend, Tim Brown, and to Jane, his wife, which has been his George Jetson joke for many years, it is so good to have you here, Tim. This is going to be a long haul, but we are going to walk it with you. We have been praying for you and will continue to do so.

Another person that many of us have been praying for, that I want to take a moment to recognize and share a few thoughts with, is Tim Wesco. The tragic loss of your brother in Cameroon was a shock to all of us. To you and your family, to his wife and seven children, we will walk with you on that one, too. It has got to be painful, but you are in our prayers, Tim. I know your faith is strong. Your family's faith is strong, and it will be stronger through this as well.

I have been uniquely honored to serve in this capacity longer than any person in our state's history, almost twice as long as any person in our state's history. It has had its good days and its difficult ones. To the folks who are new here, it is all

exciting and joy today. You will ask yourself, "why, why, why," at the end of April.

But a lot has changed since the first time I had the opportunity to address this body in 2004 as Speaker of the House. Our state dragged the nation in job creation and literally led the nation in job loss, with outdated tax and regulatory policies. We had, at that time, fallen from sixth in the nation in job creation, to 46th in the nation. We were literally No. 1 in net job loss among all 50 states. Governing Magazine said we were 50th in economic momentum. The Department of Labor said we were 50th in the percentage of our workforce that was in executive, managerial and administrative positions. This was the shocker: we were the only state in the nation between 1996 and 2002 to actually lose technology jobs.

As we stepped into the role with the budget requirements, we had a \$1.3 billion budget deficit. But through hard work, much of it together, not all of it, but much of it together, Republicans and Democrats, we made Indiana the fiscal envy of the nation.

I mean this quite literally, as I travel around the country and visit with other leaders. I have 50 statistics, I will just give you a dozen:

- We are first in the Midwest and fifth in the nation in CEO Magazine's best and worst states list;
- First in the Midwest, ninth nationally in Area Development's top states for business;
- We are second in the Midwest and 10th nationally in the Tax Foundation's business tax climate ratings;
- We are literally second in the nation in software job growth, after being the only state in the nation to lose those technology jobs previously;
- We have the second-lowest property taxes in the nation;
- We are seventh in the nation in the small business regulatory ranking by the Small Business Policy Index;
- Forbes ranks us as the No. 1 regulatory environment for small business and entrepreneurs in the United States;
- The capital city is the fourth best city in the nation for women job owners; and
- We have the second-best city climate to start a business.

Over the last 15 years, we have cut taxes 14 times. We capped property taxes forever. We have strong reserves, a AAA credit rating. We have the only fully funded, 20-year infrastructure plan in the nation that is not paid for with a dime of debt on our children and grandchildren. At 3.5 percent, we have the lowest unemployment rate in the Midwest, and we are under the national average. Last year, U.S. News and World Report ranked us as the No. 1 state government in the nation. We have the second-largest budget transparency in the nation, and we are in the top handful of those ratings by Forbes in fiscal stability. Over the last 10 years, the hardest nut to crack, was Hoosiers' personal income growth. Over the last 10 years, we outpaced Illinois, Michigan, Ohio, Kentucky, Wisconsin and again, the national average.

I just recently read that through the changes that I made in 2005 and again in 2010, we were the first chamber in the nation to livestream every action on the floor and every committee. The first in the nation. In short, our economy and our government is running on all cylinders. And employers have taken notice.

If you watched the papers recently, or listened to the governor, you know that existing businesses are expanding and entrepreneurs are creating new start-ups. A big announcement in the technology front today, global high-tech giants from GE to Salesforce are relocating here, frequently, from nearby states onto Hoosier soil.

No, we did not get Amazon, which may not have been a bad deal, but the tech giant Infosys just broke ground on their new headquarters at the old airport and are going to bring at least 3,000 jobs right here to central Indiana.

That is a long list of successes and something we can be very proud of, but I am here to tell you we have challenges that lie ahead as well.

First of all, we have very significant budget challenges. While it is great to have a 3.5 percent unemployment rate, we are at literally full employment. The number one problem I hear challenging businesses is locating skilled employees that can pass a drug test.

Despite six years of me, personally at this rostrum, talking about an action on both sides of the aisle to improve teacher pay, we actually have not moved the needle at all, significantly. We are nationally recognized as a school safety leader, but we have got to be careful where we say that, because we have seen, from the recent activity at Noblesville, that we cannot take student safety for granted.

So what will we tackle this session?

First of all, Hoosiers expect a balanced budget. It is almost routine now, where it was not previously. We will do it. We will live within our means and we will deliver it with no gimmicks and no off-sheet accounting as has happened in some years. We will keep our AAA rating and strong reserves to protect us from a downturn, which will inevitably occur in the future. This will not be as easy as it sounds.

We expect some place between \$325 million and \$350 million, if we are very fortunate, new dollars coming into our income stream this next year – \$275 million of that is needed to keep the Department of Child Services at its supplemented level that it is today. Literally 75 percent of the increase just to maintain the status quo.

Of the remainder, we have teacher pension obligations. We have Medicaid increases. We have obviously, a tuition support increase. So we are going to have more needs, more critical needs than we have available dollars. We will work with Gov. Eric Holcomb, we will work with our colleagues on both sides of the aisle and the Senate to keep Indiana on the right fiscal track, and still fund those critical needs.

Speaking of the Department of Child Services, additional money is not all that is needed there. Our Interim Study Committee on Courts and the Judiciary reviewed the consulting assessment of the Department of Child Services. I know some of you in this room spent a great deal of time on this issue. There are a lot of recommendations that were made for internal changes. We are working with the governor to see to it that the administration makes those internal changes, but there are statutory changes that are required as well. I know we are going to be prioritizing those solutions, with Representative GiaQuinta and Senator Lanane, I know that is a top Democrat priority as well.

While we are nationally recognized, as I said, as a school safety leader, our work is not through. I know bills will be introduced this year that we have been working on that will improve our Secured School Safety Grant Program and expand availability to all schools. They cannot all get a grant today. There are technology solutions to the problems and challenges that we face. Some of you are working on putting cutting-edge technology in the hands of teachers and school administrators. We will talk about that this year as well.

We are going to have bills to encourage collaboration and flexibility between local law enforcement, local schools and local mental health resources to address this critical issue. Having had kids in school and having a fourth-grade teacher as a daughter now, I know every parent, every family, every child expects to go to school in a safe environment. We have to be sure that occurs here in Indiana.

Despite record increases in tuition support, the highest increases in our state's history, that money is still not getting to teacher take-home pay. With 15 past and current teachers

in Cheryl's and my family, including both of our moms, now very retired, and our daughter in the classroom, and many others in our family, we know that the most important professional that we deal with isn't lawyers, it isn't doctors – although we all have our important jobs in that regard – the most important profession for the future are those who serve in our classrooms. And I know there are some here in this room that we need to recognize.

Since my first term as speaker, we required the Office of Management and Budget to actually track what portion of tuition support actually gets to the classroom and what portion gets sucked up into administration, many of which are quite important. We stated a goal of 60 percent of that funding getting to the classroom for both technology needs and teacher pay, and we are not there yet. While the number of teachers and students in our public schools have essentially flat lined, administration and non-teaching staff have ballooned. We now have the second-lowest share, 38 percent of full-time classroom teachers as a percent of public K-12 salary expenditures.

Our team has been meeting with – I always look for a gasp line – the Indiana State Teachers Association. Let the gasps begin. All summer, Representatives Huston and Behning have been meeting with ISTA, Stand for Teachers, Teach Plus and other stakeholders. In the next few weeks, we hope to make an announcement on an agreement on both developing a program to promote the teaching profession and to get teachers' salaries on the right track. Stay tuned for that announcement.

Finally, my father, served in this chamber, served in the Senate Chamber, served with Bernie Bauer, Pat's father, maybe some others in the room or their predecessors. He said a lot of memorable things, and I wrote this one down, which he said all of the time: the original department of health, education and welfare is a good job. What he meant was the good American concept of when you have a job – you provide for your own health, your children's education, and also their welfare.

While Indiana ranks well in all the business environment statistics I just cited to you, we still rank in the bottom third in human capital and skills. We have made limited progress, and we have had limited success together, Republicans and Democrats, collaborating the last four sessions to prioritize workforce development. We are going to work on some real solutions this time to most effectively invest that \$1 billion we together spend on 30 different programs through nine different agencies.

First of all, the governor and his task force have made some excellent workforce recommendations. They will work their way to the proper committee. We will vet them together. We will make them better. And, hopefully, we will get them enacted.

We have to continue promoting early career training opportunities – earlier than we are doing today. Again, while we have made some minor success, we have to hit the gas pedal on this one. We need to encourage more partnerships between local schools and local employers because the vast majority of those students are going to graduate from that local high school, and they are going to live in that community or in that rural area. We have to be sure that their degrees and training match the available jobs.

And I know there is much more that I could talk about, much more that we are going to do together, some that we will probably do separately, in one direction or another, but the long list I just gave you are heavy lifts. It is a heavy lift for a session, but we have done heavier work before.

So I mentioned my father. I grew up in a family that placed a high premium on public service. I was sworn in on a Bible that sits on my desk, which he and my mother for the first two years of their marriage, from 1945 through 1947 after the war, read a designated number of pages out of the book every night. They read through the entire Bible out loud together in a two-year period. He was a lifetime businessman, a part-time soldier, and a part-time public servant in this chamber and in the Senate.

It was not a surprise for my friends when I first ran for office in 1986. I had always been kind of a political junky. It was no surprise that I was one of the few people in 1992 watching a guy I campaigned for, Dan Quayle, debate Al Gore in the vice presidential debates. Eloquent speeches. And then the third guy who I didn't know: Admiral James Stockdale. I had never heard of him, and he started his little speech with "who am I and why am I here?"

Now, some of you are going to think you remember that. You really saw Phil Hartman do it on "Saturday Night Live" because it became a running joke, constantly. Then he added to that when on an abortion question his response was, "I'm out of ammo." So he became a joke, a running joke on "Saturday Night Live," but he intrigued me.

Back in 1993 and 1994, I started researching the man. He was Admiral James Bond Stockdale, he was no joke at all. In fact, he received 26 combat awards during the Vietnam War. He received the Silver Star, the Legion of Honor and the Congressional Medal of Honor, among many others.

He was shot down over North Vietnam. He was the highest ranking prisoner for seven and a half years –the leader of the insurgency essentially – at the Hanoi Hilton. He refused to leave when he was granted the opportunity to do so. He self-committed an almost mortal wound to prevent the Vietnamese from putting him on national TV with a confession. He beat himself almost to death to avoid that, and while he was the butt of jokes for his apparent lack of mental capacity, he was actually a Stanford scholar.

He was also a professor of philosophy, and that question that he asked, "who am I and why am I here?" is actually a quote from Epictetus, a leader in the Greek stoicism school of philosophy. The basis of that is, what is my role and where do I fit into the big picture? That is exactly what he was asking and I am asking that of you today.

That question has literally haunted me for 25 years. I want it to haunt you as well, particularly if you are new. Who am I? And why am I here? What is my role in this big picture? This time, this place, the role you will be in, the challenges we will be dealing with this year, which will be plenty, that is what you need to struggle with. That is what you need to find, and I pledge to help you find that, if you are willing.

We can be inspired by stories like Stockdale's, and Brown's, and Wesco's, which hit very close to home. And we are inspired to do our best to serve our fellow Hoosiers, and we will do it with passion. We will do it with integrity, and if I have my way, we will do it with civility, with more concern for the mission than ourselves. In essence, a servant's heart.

My pastor Kevin Roth is here today. Our lead pastor, Dave Rodriguez, who is also a great friend, asked essentially the same question in the sermon he gave on Sunday. What is your big picture? Where do you plug in? What is God calling you to do? And he cited a letter, an old letter from a guy that was in prison. A letter I have read as well. I know you have, also.

It is from the Apostle Paul to the church at Ephesus. In Ephesians 2:10, Paul says, "For we are each God's masterpiece. Each of us are God's masterpiece. He created us anew in Christ."

And here's the kicker, "So we can do the things He, God, planned for us so long ago."

Is that the beginning of time? Perhaps, some think.

So this passage hit me, maybe 23 or 24 years ago, when I was in a Bible study. What struck me at the moment was how many of those good works did I pass right by? I did not think about them. I did not recognize them. I really felt a lot of

shame. I am going to keep my eyes open for those works today. I want you to keep your eyes open for those works today. Together, we will find our purpose. We will find who we are. We will find why we are here.

I pray that God will bless our efforts, and through us, all Hoosiers.

Thanks for your attention. I appreciate it.

#### HOUSE MOTION

Mr. Speaker: I move that the House now proceed to nominate and elect a Principal Clerk for the 121st General Assembly.

STEUERWALD

Motion prevailed.

The Speaker recognized Representative Steuerwald, who nominated Caroline Spotts as Principal Clerk of the House. Representative Lehman seconded the nomination.

#### HOUSE MOTION

Mr. Speaker: I move that the nominations be closed and that Caroline Spotts be elected Principal Clerk of the House of Representatives for the 121st Indiana General Assembly by acclamation.

GIAQUINTA

Motion prevailed. The Speaker declared Caroline Spotts elected Principal Clerk of the House of Representatives by acclamation.

The oath of office was administered by the Speaker, which oath is as follows:

"I, Caroline Spotts, do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as Principal Clerk of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

#### HOUSE MOTION

Mr. Speaker: I move that the Standing Rules and Orders as shown in Exhibit A which is attached hereto and made a part hereof be hereby adopted as the Standing Rules and Orders for the government of the House of Representatives of the 121st Indiana General Assembly until otherwise ordered, and that a committee of this House be appointed by the Speaker, who, together with the Speaker, shall constitute the Committee on Rules and Legislative Procedures and whose duty it shall be to report to the House any changes in or additions to the Rules thereof, which in its discretion, may be necessary or desirable.

TORR

#### EXHIBIT A

### RULES OF THE HOUSE OF REPRESENTATIVES ONE HUNDRED TWENTIETH GENERAL ASSEMBLY OF INDIANA

#### PART I. DEFINITIONS

1. Definitions. As used in these rules:

"author" means the member who introduces a House bill or resolution and whose name appears first on the bill.

"bill" includes bills and joint resolutions but does not include concurrent or house resolutions.

"calendar day" means the period from 12:00 a.m. to the next occurring 11:59 p.m.

"chamber" means the room, including the galleries, in which the House holds its legislative sessions.

“clerk” means Principal Clerk.

“coauthor” means a member who joins with the author and whose name appears after the name of the author.

“committee meeting” means a majority of the members of a committee gathering to conduct business but does not include executive session of the Statutory Committee on Ethics.

“concurrent resolution” means a non-joint resolution that must be presented to both houses of the General Assembly for adoption.

“constitutional majority” means a majority of all the members elected to the House. (Constitution, Article 4, Section 25.)

“cosponsor” means a member who joins with the sponsor and whose name appears after the name of the sponsor.

“direct personal or pecuniary interest” means that the disposition of the legislative matter could reasonably be expected to have a unique, direct, and substantial effect on the nonlegislative income of the member, a member’s close relative, as defined in IC 2-7-1-1.7, or a partnership, corporation, or business in which the member or a close relative holds an ownership interest.

“floor” means the main floor of the chamber.

“galleries” means the areas within the chamber that have been provided for members of the public to observe the sessions of the House.

“hall” means the chamber together with all rooms and hallways adjacent to the chamber.

“house resolution” means a resolution that is not to be presented to the Senate for adoption.

“joint resolution” means a resolution that must meet the same requirements for adoption as a bill.

“journal” means the Journal of the House.

“majority” means a majority of the members present and voting.

“meeting day” means a calendar day when the House convenes in session.

“member” means an individual duly elected to the House.

“member’s desk” means the desk within the chamber assigned to a member or the chamber bin located adjacent to the chamber, assigned to a member.

“sponsor” means the member who sponsors in the House a bill or resolution which originated in the Senate and whose name appears first on the bill.

## PART II. CONDUCT OF BUSINESS

2. Time of Convening. The House shall convene at the time provided by motion adopted by a constitutional majority.

2.1. Deadlines. Whenever a deadline date is specified in these rules, and that date falls on a Saturday, Sunday, or legal holiday, that deadline date is extended to the next day that is not a Saturday, Sunday, or legal holiday.

3. Quorum. Two-thirds of the members of the House constitute a quorum to do business. (Constitution, Article 4, Section 11.)

4. Power of Less Than a Quorum to Compel Attendance. Seven (7) members with the Speaker or Speaker Pro Tempore, or eight (8) members in the absence of the Speaker and Speaker Pro Tempore, one member of the majority of whom they shall elect acting Speaker, may call the House to order, compel the attendance of absent members, make an order for their fine and censure and adjourn from day to day until a quorum is in attendance.

5. Votes Necessary for Action.

5.1 For the final passage of bills, motions to concur with Senate amendments, or the adoption of conference committee reports, approval by a constitutional majority is required.

5.2 In all other cases, approval by a majority is required, except as provided in Rules 8, 24, 83, 107 and 149.

6. Organizational Meeting.

6.1 The first item of business, in the first regular session, shall be election of officers.

6.2 Other items of business for the organizational meeting shall include the adoption of rules and joint rules.

7. Effect of the Rules. These rules shall govern the House for the term of the General Assembly. (Constitution, Article 4, Section 10.)

8. Changing the Rules. Any rule may be rescinded, changed or suspended without previous notice, and a motion for such purpose is in order at any time, except after a vote on the question has been ordered. Such a motion has precedence over all other business. The motion must be seconded by a constitutional majority and must be carried by two-thirds vote of the members of the House, except as provided in Rules 147, 148, 161 and 163.2. However, the rescission, change or suspension of any rule recommended by the Committee on Rules and Legislative Procedures may be adopted by a constitutional majority of the House.

9. Parliamentary Authority. Concerning all questions not provided for by these rules, Jefferson’s Manual shall be regarded as a parliamentary guide of the House and the rules and precedents of the House of Representatives of the United States shall be followed.

10. Order of Business—Usual. The order of business shall be as follows:

10.1 Invocation.

10.2 Calling the House to order.

10.3 Pledge of Allegiance.

10.4 Roll call.

10.5 Reports from committees.

(a) Standing committees.

(b) Select committees.

(c) Conference committees.

10.6 Introduction of resolutions and bills.

10.7 Business on the Speaker’s table.

(a) Executive and other communications.

(b) Bills and resolutions from the Senate on first reading.

(1) Reference to committee; or

(2) Placed on file in order of receipt.

(c) Bills of the House and Senate on second reading.

(d) Bills of the House and Senate on third reading.

10.8 Reading of the Journal, or so much thereof as shall be called for, shall occur upon motion duly adopted by a majority.

11. Order of Business—Discretionary. Notwithstanding Rule 10, the following items of business may be considered at any time at the discretion of the Speaker:

11.1 Messages from the Senate.

11.2 Action on Senate amendments to House bills.

11.3 Action on reports of conference committees (subject to Rules 161 and 162).

12. Order of Business—Suspension. The order of business may be suspended with the consent of a majority.

13. Effect of Adjournment Sine Die. Every bill or resolution which is pending at the adjournment sine die of any session of the General Assembly shall be deemed to have failed and shall not be transferred to any subsequent session, special session or technical session.

14. Persons Authorized Within the Hall. Only the following persons may be admitted within the hall of the House without the

consent of the Speaker:

- 14.1 members, officers, or employees of the General Assembly;
- 14.2 members of the executive or judicial branches;
- 14.3 accredited members of the news media;
- 14.4 employees of the Legislative Services Agency; or
- 14.5 members of the public seated in the galleries.

15. Persons Authorized on Speaker's Stand. When he or she is there, no person shall enter upon the Speaker's stand or stand upon the steps leading thereto without an invitation from the Speaker.

### **PART III. OFFICERS, EMPLOYEES, AND JOURNAL**

#### **A. SELECTION OF OFFICERS**

- 16. Officers. The officers of the House shall be:
  - 16.1 Speaker.
  - 16.2 Principal Clerk.

17. Term of Office. Each officer of the House shall continue in office for the term of the General Assembly unless removed, suspended or unable to serve.

18. Oath. The Speaker and Principal Clerk shall, before entering upon the discharge of their duties, take an oath to support the Constitution of the United States and the State of Indiana and to faithfully and impartially discharge their duties.

#### **B. POWERS AND DUTIES OF THE SPEAKER**

19. Call to Order. The Speaker shall call the House to order every meeting day at the hour fixed pursuant to Rule 2.

20. Direction of the Hall.

- 20.1 The Speaker shall have general direction of the hall.
- 20.2 The Speaker shall preserve order and decorum.
- 20.3 In case of any disturbance or disorderly conduct in the hall, the Speaker may order it to be cleared.

21. Speaker Pro Tempore. The Speaker may appoint one of the members of the House as Speaker Pro Tempore, who shall hold office at the pleasure of the Speaker, and who shall exercise all the powers and carry out all the duties of the Speaker in the absence of the Speaker, and who shall carry out such other duties as may be assigned by the Speaker.

22. Acting Speakers. The Speaker, or the Speaker Pro Tempore if the Speaker is unable, may name any member to perform the duties of the Chair, but such substitution shall not extend beyond one day.

23. Appointment of Committees. The Speaker shall appoint all committees and committee chairs. If the Speaker is unable to make appointments such appointments may be specifically directed by a constitutional majority.

24. Questions of Order.

- 24.1 The Speaker shall decide questions of order, subject to an appeal to the House by any two members. Such an appeal shall be in writing, signed by the members taking the appeal, and shall clearly state the point of order decided by the Chair. No member may speak more than once on an appeal, unless by consent of a majority of the House. No appeal from the decision of the Chair shall prevail except by a constitutional majority. The decisions of the Chair shall be inserted in the Journal.
- 24.2 The Speaker may speak to points of order in preference to other members, rising from his seat for that purpose.

25. Stating Motions. When a motion is made and seconded, it shall be stated by the Speaker or being in

writing, read aloud by the reading clerk.

26. Questions—Form and Vote. Questions shall be put substantially in this form: "The question is on \_\_\_\_\_ as many as are in favor vote 'aye,'" and after the affirmative vote is expressed, "as many as are opposed 'no.'" If the Speaker is uncertain of the result of a voice vote, he may order a roll call or, upon request of any two members, he shall grant a roll call.

27. Voting. The Speaker is not required to vote in ordinary legislative proceedings. But when the House is equally divided on a question, he shall give the deciding vote; when his vote would make an equal division, he shall vote upon the call of any member.

28. Signature. The Speaker shall sign all enrolled acts, enrolled joint resolutions, warrants, and subpoenas of or issued by order of the House.

#### **C. DUTIES OF OTHER OFFICERS AND EMPLOYEES**

29. Clerk—List of Bills Filed. The Clerk shall, upon the request of the Speaker, prepare a list of the bills filed. The list shall contain the number, title and author of each bill and shall be delivered to the Speaker for committee referral of each bill.

30. Clerk—Receipt for Enrolled Acts. As custodian of the enrolled acts, the Clerk shall require a receipt upon surrendering possession of an enrolled act.

31. Clerk—Disposition of Bills after Session.

- 31.1 After each session, the Clerk shall transmit to the State Archives all original and engrossed House bills and resolutions. The State Archives will provide for the preservation of such bills and resolutions.
- 31.2 The Clerk shall retain the receipt books of the transmittal of enrolled acts and joint resolutions to the Governor and such bookkeeping records as are appropriate. At the end of the term of office, unless re-elected, the Clerk shall transmit to the Legislative Services Agency all such receipt books and bookkeeping records from each session during the term. The Legislative Services Agency shall provide for the preservation of such records and books for future use.

32. Clerk—Messages from the Senate. When messages, bills, and resolutions are received from the Senate they shall be delivered in written or electronic form to the Speaker.

33. Doorkeepers.

- 33.1 It is the duty of the Doorkeepers to attend to the House during its sessions, to maintain order in the hall, to execute all process issued by the authority of the House and directed to them by the Speaker and in all things to execute the commands of the Speaker of the House.
- 33.2 It is the duty of the Doorkeepers upon the authority of the Speaker to clear the hall of unauthorized persons from 30 minutes before the time for convening until 30 minutes after adjournment.

#### **D. HOUSE JOURNAL**

34. Requirement. A Journal of the proceedings of the House shall be kept and published. (Constitution, Article 4, Section 12.)

35. Contents.

- 35.1 The title of every bill introduced shall be recorded in the Journal.
- 35.2 All joint resolutions amending the Constitution of the State shall be published in full in the Journal.
- 35.3 All motions, resolutions, reports, petitions, decisions of the Chair, and amendments to bills or other matters shall appear of record in a manner approved by the Speaker.

### **PART IV. RIGHTS AND DUTIES OF MEMBERS**

#### **A. GENERALLY**

36. Attendance. No member shall be absent from the service of the House unless excused by the Speaker, is sick or is unable to

attend.

37. Presentation of Petitions and Memorials.

37.1 Members having petitions, memorials, concurrent or house resolutions to present may hand them to the Speaker, endorsing them with their names. Petitions, memorials, concurrent or house resolutions, and the reference or disposition of them, shall be entered on the Journal and may be referred by the Speaker to the appropriate committees. If any petition, memorial, concurrent or house resolution is presented which in the judgment of the Speaker is not respectful, temperate and free from offensive imputations upon the character or conduct of the General Assembly or other constituted authority, it shall be returned to the member from whom it was received.

37.2 When a paper is first presented to the House, it is a matter of right of any member to have it read before the House votes upon it. If the paper has been once read or the reading dispensed with and the reading is again requested and objected to, it shall be determined by a vote of the House.

38. Protest. Any member of the House has the right to protest, and to have that protest, with the reasons for dissent, entered on the Journal. (Constitution, Article 4, Section 26.)

B. CONCERNING DEBATE

39. Decorum. While the Chair is putting any question or addressing the House, no member shall walk out of or across the House; when a member is speaking or delivering any matter to the House, no other member shall pass between that member and the Chair.

40. Recognition to Speak.

40.1 Any member desiring to speak in debate or to deliver any matter to the House, shall rise and respectfully address "Mr. Speaker," but shall not proceed until recognized by the Speaker.

40.2 When two or more members rise at once, the Speaker shall name the member who is first to speak.

41. Contents of Comments.

41.1 Comments shall be confined to the question under consideration, shall avoid personality, and shall not impeach the motive of any member's vote or argument.

41.2 Video coverage of the House shall not be altered or deleted during the term of the General Assembly unless agreed to in writing by the Speaker and Minority Leader.

42. Frequency of Speaking. No member may speak more than twice on the same question without the consent of the House, or more than once until every member choosing to speak has spoken.

43. Breaches of Order.

43.1 If a member transgresses the rules of the House, the Speaker or any other member may call the offender to order, in which case the member called to order shall immediately sit down, unless permitted to explain. The House shall, if appealed to, decide on the case, without debate, in accordance with Rule 24. If there is no appeal the decision of the Chair shall be submitted to. If the decision is in favor of the member called to order, he or she may proceed; if the decision is not in favor of that member, he or she may not proceed if any member objects, without leave of the House. If the case requires it, a member may be liable to the censure of the House.

43.2 If a member is called to order for words spoken in

debate, the person calling him or her to order shall repeat the words excepted to, and they shall be taken down in writing at the rostrum.

43.3 No member shall be held to answer or be subject to the censure of the House for any words spoken in debate if any other member has spoken or other business had intervened after the words were spoken and before exception to them has been taken.

C. CONCERNING VOTING

44. Right to Have Vote Counted. When the question is stated by the Speaker and the vote is on a call of the yeas and nays, all members within the Chamber shall be counted.

44.1 Notwithstanding any rule or prior interpretation of these rules to the contrary, the Speaker shall, upon the request of any two (2) members prior to the call for a vote, regardless of the question under consideration, cause a permanent public written record of any vote to be made. This record shall include the date, subject matter under consideration, total number of members voting, the identity by name of members and whether they voted in favor, against or were excused from voting. This record shall be recorded in the House Journal and shall be made available to the public and news media. Violations of this rule shall be considered a violation of the public trust.

45. Duty to Vote. Every member who is on the floor of the House when the question is put shall vote, unless excused by the House for special reasons.

45.1 A member must be physically present within the Chamber to vote.

46. Excuse from Voting. All motions to excuse a member from voting shall be made before the call of the tally of the vote is made. No call of the yeas and nays shall be entertained on a motion to excuse a member from voting. All requests to be excused from voting shall be reduced to writing, including the reasons for the request, and entered upon the Journal. A member who is aware they will be making a request to be excused from voting on a matter shall not engage in floor debate except on the issue of the request. The Speaker shall recognize all requests to be excused from the rostrum before the vote.

47. Conflict of Interest. Any member who has a direct personal or pecuniary interest in the result on any question shall ask to be excused and shall not vote on that question, except on budget or general revenue bills as permitted by Rule 169. Any member requesting to be excused from voting may make a brief statement of the reasons for making such request, and the question then shall be taken without further debate.

48. Refusal to Vote. The refusal to vote by a member who is present and has not been excused from voting is a high breach of decorum and subjects the person so offending to a fine, censure or such other penalty as the House may order.

49. Absent Members.

49.1 A member who is absent from the House without excuse may, by order of the members present, be sent for and taken into custody wherever found by the Doorkeeper or other person appointed for that purpose.

49.2 When a member is discharged from custody and admitted to the House, the remaining members shall determine whether a fine, censure or other penalty should be imposed. The House shall determine whether a delinquent member, taken into custody, shall pay the expenses incurred.

50. Voting for Another.

50.1 No member shall vote for another member. In addition to such penalties as may be prescribed by law, any member who votes or attempts to vote for another member may be punished in such manner as the House may determine.

50.2 No person not a member may cast a vote for a member.



If a person not a member votes or attempts to vote for a member, that person shall be barred from the floor of the House for the remainder of the session and may be further punished in such manner as the House deems proper.

51. Voting After the Machine is Closed. Except as provided in Rule 75, no member may vote or change a vote after the Speaker announces that the machine is closed for the recording of the vote.

#### **PART V. STANDING COMMITTEES AND SUBCOMMITTEES**

52. Standing Committees. The following shall be the standing committees:

Agriculture and Rural Development  
Commerce, Small Business and Economic Development  
Courts and Criminal Code  
Education  
Elections and Apportionment  
Employment, Labor and Pensions  
Environmental Affairs  
Family, Children and Human Affairs  
Financial Institutions  
Government and Regulatory Reform  
Insurance  
Judiciary  
Local Government  
Natural Resources  
Public Health  
Public Policy  
Roads and Transportation  
Rules and Legislative Procedures  
Select Committee on Government Reduction  
Utilities, Energy and Telecommunications  
Veterans Affairs and Public Safety  
Ways and Means

53. Membership.

53.1 Except as otherwise provided, all standing committees shall consist of not less than three nor more than fifteen members, except at the discretion of the Speaker of the House.

53.2 The Committee on Ways and Means shall include at least one member from each congressional district and two members of the Budget Committee.

53.3 The Committee on Elections and Apportionment shall be composed of at least one member from each congressional district.

54. Proportional Representation. Insofar as feasible and practical, the membership of the standing committees shall be made proportionate to representation of parties in the House.

55. Appointment and Term. The standing committees shall be appointed by the Speaker not later than ten (10) days after the election of officers, and shall be recorded in the Journal. The members of the standing committees shall serve for the term of the General Assembly unless removed, suspended or unable to serve.

56. Duties. It is the duty of the several standing committees to examine into and report upon all matters that may be referred to them, either by bill or otherwise. No committee amendment proposed to a simple or concurrent

resolution substituting therein a different subject matter may be accepted, unless accompanied by the written consent of its author.

56.1 Officers of the Committee. Each committee shall have a chair and vice chair appointed by the Speaker and a ranking minority member appointed by the minority floor leader.

56.2 Duties of the Chair. The chair, or in absence of the chair, the designee of the chair shall preside over committee meetings and be responsible for the decorum and conduct of the meetings.

56.3 Duties of the Members of the Committee. A majority of committee members must be physically present when establishing a quorum and when voting.

57. Time of Meeting. No committee may sit while the House is in session without the consent of the Speaker.

58. Right of Authors and Sponsors. Any member of the House, having any petitions, memorials, remonstrance, resolution, bill or other matter of which he is the author, coauthor, sponsor or cosponsor, may meet with and act as a member of the committee during the time the committee has such subject under consideration. He may participate in debate, but he may not make or second motions or vote unless he is a regular member of the committee.

59. Notice of Meetings.

59.1 Every member of the House shall be given written or electronic notice of all committee meetings at the choice of each member. Each member shall notify the Principal Clerk regarding the member's preference. The notice shall also be posted and made available to the public. The notice shall include the date, time and place of the meeting and the number, subject matter and author of each bill or resolution to be considered together with such information concerning the subject matter as the committee chair shall determine.

59.2 When the House is out of session more than three (3) calendar days, the notice required to be given to members may be given electronically and by depositing a copy of the notice in the United States mail at least five (5) days before the meeting.

60. Announcement of Meetings. The chair of each committee shall have all committee and subcommittee meetings announced from the floor of the House. At such time the number and subject matter of each bill to be considered at the meeting shall be announced. With the exception of hearings on the budget bills, such announcements shall be made for all committee meetings prior to adjournment on the meeting day next preceding the meeting; however, when the House is out of session three (3) or more calendar days, such meetings need not be announced from the floor of the House.

61. Open Meetings. All standing committee and subcommittee meetings shall be open to the public, and citizens shall have the right to be heard. To the extent feasible, meetings will be held at times and places convenient to the public.

62. Quorum. For a committee to establish a quorum, a majority of members appointed to the committee must be physically present in person. No vote may be taken or recorded without a quorum; however, a committee may take testimony without a quorum.

63. Voting for Another. No member of a committee may vote for another member, nor may any person not a member of the committee cast a vote for a member.

63.5. Proxy Voting. No proxy votes are ever in order.

64. No Secret Ballot. Voting by secret ballot is prohibited.

65. Record of Voting. When a final vote is taken on any bill or resolution under consideration by a committee or subcommittee the vote of each member shall be recorded and retained as part of

the record of the meeting. Records of such votes shall be made available for examination.

66. Change of Vote. No recorded vote of a member on any bill or resolution may be changed except upon adoption of a motion to do so during a committee session at which there is a quorum.

67. Committee on Rules and Legislative Procedures—Duties. If in checking printed bills and the daily Journal, the Committee on Rules and Legislative Procedures ascertains any error, including spelling or technical errors, the error shall be corrected under its direction. A record of such errors and the corrections shall be entered in the Journal.

68. Committee on Rules and Legislative Procedures—Meetings. It is in order for the Committee on Rules and Legislative Procedures to meet any time, and to report at any time when no question is before the House.

#### PART VI. VOTING PROCEDURE

69. Voting Machine. The voting machine may be used in voting on any question.

70. When Voting Machine Not Operating. In the event the voting machine is not operating, the names of the members shall be called alphabetically, the name of the Speaker being called last. After the roll has been gone through, the reading clerk shall first read over the names of those who have answered in the affirmative, and then the names of those who have answered in the negative, in order that, if any mistake has been made in noting the answer, or if any member has made a mistake in giving an answer, the mistake of either may be corrected.

71. During the Vote. After a vote on the question has been ordered, no debate and no motion, including a motion to adjourn, or a point of personal privilege, shall be in order until the vote is completed.

72. Bringing the Question to a Vote.

72.1 When the House is ready to vote upon any question requiring a roll call, the Speaker shall announce: "The question is on the passage (designating the matter to be voted upon). All in favor of such question shall vote 'aye;' all opposed shall vote 'no.' The House will now proceed to vote."

72.2 When sufficient time has been allowed the members to vote, the Speaker shall announce: "Have all members voted?" and after a short pause the vote shall be tallied.

73. Explanation of Vote. The ordering of the previous question shall not prevent a member from explaining his or her vote after the vote is recorded; but no member, under this rule, shall be permitted more than one minute for that purpose.

74. Announcing the Vote. When the vote is tallied, the Speaker shall announce the result and the vote tally shall be recorded in the Journal.

75. Change of Voting Records. The roll call as recorded on the recording equipment shall not be altered or changed in any manner, by any person, except by a constitutional majority upon written petition setting forth the reasons for the change of the recorded vote. The petition and the action thereon shall be entered in the Journal.

76. Voting Records. At the same time the vote is recorded by the recording equipment, an original and not less than three duplicate roll call sheets shall be made showing the vote. One of the duplicates shall be for the use of the news media and one shall be furnished to the Legislative Services Agency.

#### PART VII. MOTIONS

77. Absence of Quorum. When less than a quorum is present no motion may be entertained, except to adjourn or compel the attendance of members.

78. Form. Every motion, except a motion for the previous question, or calling or excusing absentees, shall be in writing or reduced to writing immediately after introduction.

79. Second. When a motion is made it must be seconded before it may be debated after which it is in possession of the House; but, it may be withdrawn at any time before a decision or amendment.

80. Germane. No motion or proposition on a subject not germane to that under consideration shall be admitted under color of an amendment.

81. Division of a Question. Any member may call for the division of a question before or after the main question is ordered. The question shall be divided, if it contains propositions in substance so distinct that if one were taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out and insert shall be deemed indivisible, but a motion to strike out being lost shall preclude neither amendment nor a motion to strike out and insert.

82. Fix a Time of the Next Meeting. A motion to fix a time to which the House shall adjourn is in order at any time, except as provided in Rule 71, and is debatable unless made while another question is pending, in which case it is undebatable.

83. Suspend Rule Requiring Reading on Three Separate Meeting Days. A motion to suspend the constitutional rule requiring a bill to be read on three separate meeting days must be carried by two-thirds vote of the members of the House. (Constitution, Article 4, Section 18.)

84. Recommit. After a bill has been reported to the House, it may be recommitted to the same or another committee with or without recommendation by a majority vote and shall be recommitted by the Speaker to the Committee on Ways and Means in accordance with Rule 127.

85. Call Back to the House from Committee. A bill may not be called back to the House from committee.

86. Precedence of Motions When Question Under Debate. When a question is under debate, only the following motions may be received:

1. to adjourn,
2. to lay on the table,
3. for the previous question,
4. to postpone to a day certain,
5. to postpone indefinitely,
6. to commit or recommit, or
7. to amend.

These motions have precedence in the order that they are listed.

87. Adjourn. A motion to adjourn shall be decided without debate and is always in order, except as provided in Rule 71 or while another member is speaking.

88. Table. A motion to lay on the table is undebatable and is always in order, except as provided in Rule 71 or while another member is speaking.

89. Previous Question.

89.1 On the previous question there shall be no debate.

89.2 All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

90. Postpone to a Day Certain or Commit. A motion to postpone to a meeting day certain or to commit, being decided, shall not again be allowed on the same day, at the same stage of the bill or proposition.

91. Precedence of Certain Motions. Motions to postpone to a meeting day certain, to commit or amend may be amended and have precedence in the order named in Rule 86.

92. Effect of Indefinite Postponement or Tabling. When a question is postponed indefinitely, or when a motion to reconsider has been laid upon the table, neither such question nor any bill, resolution, conference committee report or amendment on the same subject matter shall be considered again during the session. However, the indefinite postponement of or tabling of a motion to reconsider action on a House bill shall not prevent later consideration of or action upon a Senate bill on the same subject matter.

93. Reconsider—Tie Vote. In all cases of equal division the question is not lost and may be reconsidered upon motion by any member.

94. Reconsider.

94.1 When a question has been decided either in the affirmative or negative, except as provided in Rules 92 and 154, it is in order for any member having voted with the majority to move for the reconsideration thereof, on the same or the succeeding meeting day. The motion takes precedence over all other questions, except a motion to adjourn, and may not be withdrawn after that succeeding day without the consent of a majority.

94.2 When a motion is pending for the reconsideration of any question, any member of the House may call up the motion for the action of the House when it has been pending for twenty-four (24) hours. All such motions shall take precedence over all questions except a conference committee report or motion to adjourn; however, if such motion is made after April 14 of the first regular session or after March 7 of the second regular session, it shall be disposed of when made.

## PART VIII. LEGISLATIVE PROCEDURE

### A. FORM OF BILLS AND RESOLUTIONS

95. Digest. A brief digest stating the nature of the proposed bill shall be attached to each copy of the bill when filed for introduction.

96. Title. Every bill shall contain a title that expresses in concise terms the subject matter of the bill, in sufficient detail to acquaint the members of the House with the general subject matter under consideration.

97. Identification of Law to be Amended. Every amendatory bill shall identify the original act or code as last amended, and the sections amended shall be set forth and published at full length. The identification required by this rule shall be made by citation reference.

98. Emphasize Amendments.

98.1 When a bill proposes to amend the Constitution, or any statute or section thereof, the author shall indicate the new matter by use of bold face type; if any matter has been deleted, the deleted material shall be set out in cancelled type.

98.2 Capitalization, organization or punctuation changes made solely for the purpose of uniform style need not be indicated.

99. Form. Every bill or resolution of the House shall be written on full sheets of paper. All bills and resolutions shall be typewritten or printed, having no handwritten interlining or defacements of any kind.

100. Original and Copies.

100.1 There shall be one original of each bill prepared for filing, together with such copies as the Speaker shall from time to time determine. The

Clerk shall distribute the copies to such persons as the Speaker shall designate with a view towards improving the legislative process and encouraging public awareness of and participation in matters pending before the House. Such distribution shall be made upon release of a bill for committee consideration or upon the date of first reading, whichever is earlier.

100.2 This rule does not apply to bills filed in the name of the Committee on Rules and Legislative Procedures.

101. Authorized Copies. The printing and other contractors shall work under the direction of the Speaker and no bill in the possession of the House shall be printed for any member or other person without the express approval of the Speaker.

102. Release of Information Concerning Printing and Computing.

102.1 Neither the printing nor other contractors, nor any subcontractor shall release information concerning bills, their progress or the work thereon to any person not authorized by the Speaker to receive such information.

102.2 A procedure shall be developed under the direction of the Speaker for informing authors or sponsors about printing of their bills.

### B. FILING, INTRODUCTION, FIRST READING, COMMITTEE ASSIGNMENT

103. Time to File. On or after the first meeting day of a regular or special session, any member may file a bill with the Clerk for introduction. Filing shall not be later than 2:00 p.m. the day prior to introduction and first reading.

104. Preconditions for Filing. No member may file a bill for introduction, except the budget bills, unless:

104.1 it has previously been submitted to the Legislative Services Agency for the purpose of checking as to form; and

104.2 the subject matter is clearly set forth both in the title and the body of the bill.

105. Names of Author and Coauthors.

105.1 Every bill filed shall include the name or names of the member or members offering it and shall be delivered in person or by certified mail to the Clerk's office. There may be no more than three (3) coauthors or cosponsors of a bill.

105.2 This rule does not apply to bills filed for the Committee on Rules and Legislative Procedures under Rule 106. The Committee on Rules and Legislative Procedures shall be considered the author of such bills at the time of filing.

106. Vehicle Bills.

106.1 On the fifth meeting day in January, twenty-five (25) bills shall be filed in the name of the Committee on Rules and Legislative Procedures. Rule 104 and the time limits of Rule 112 do not apply to such bills.

106.2 Any amendment to a vehicle bill shall be filed by the author of the vehicle bill with the Clerk at least twenty-four (24) hours before the amendment is presented in a committee meeting and distributed in the same manner as amendments are distributed under Rule 117.1. A reasonable time between the filing of the amendment with the Clerk and a committee meeting to consider the amendment to the vehicle bill shall be afforded members of the committee to file additional amendments to the vehicle bill as amended by the author's amendment.

107. Deadline for Filing.

107.1 During the first regular session of any term of the General Assembly, no bill may be filed for introduction later than 2:00 p.m. on the fourth meeting day in January without the consent of a two-thirds majority of the members elected.

107.2 During the second regular session of any term of the General Assembly, no bill may be filed for introduction later than 2:00 p.m. on the fourth meeting day in January without consent of a two-thirds majority.

107.3 This rule does not apply to bills filed in the name of the Committee on Rules and Legislative Procedures under Rule 106.

108. Bill Limit.

108.1 During the first regular session, each member shall be permitted to file for introduction no more than ten (10) bills.

108.2 During the second regular session, each member shall be permitted to file for introduction no more than five (5) bills.

108.3 This rule does not apply to bills filed in the name of the Committee on Rules and Legislative Procedures under Rule 106.

109. Numbering. The Clerk shall date and number each bill consecutively in the order received, commencing with the number 1001, and joint resolutions consecutively, commencing with the number 1. The number a bill takes when introduced by a member is only for convenience in filing and for reference; it is no part of the bill or act itself.

110. Withdrawal. Any bill may be withdrawn prior to first reading by the author upon written request to the Clerk and the records shall show such bill as having been withdrawn.

110.1 Any house resolution or house concurrent resolution may be withdrawn by the author upon written request to the Clerk and the records shall show such house resolution or house concurrent resolution as having been withdrawn.

111. Effect of Loss of Author. A bill filed by a member whose office becomes vacant before the bill is first read shall be introduced and read a first time in the name of the first named coauthor. If there is no coauthor, the records shall show that the bill was withdrawn before first reading.

112. Referral to Committee. The Speaker shall refer each bill to a committee within ten (10) calendar days after filing unless committees have not been appointed, in which case they shall be referred within ten (10) calendar days after the appointment of the committees. The Speaker shall cause the committee referral to be indicated on the list of bills filed, and cause the list to be distributed to the members.

113. Bill List. Bills and resolutions filed on the first meeting day or during recess after the first meeting day may be assigned and released by the Speaker to a standing committee for consideration and will be introduced the first or a subsequent day on which the House is convened.

114. Claims Against the State. All claims against the State which must be first presented in the House shall be referred to the Committee on Ways and Means before being referred to any other committee.

115. Introduction and First Reading. The reading of each bill by number, title and author and committee reference shall be the introduction and first reading. The first reading of a bill is for information.

116. Rejection or Assignment to Committee. If a member objects to a bill on first reading the question shall be: "Shall the bill be rejected?" If the question to reject is defeated, the bill shall be referred to a committee.

### C. AMENDMENTS

117. Filing.

117.1 Copies. There shall be made one copy on the House computer network in a format specified by the Speaker and one original and that number of additional paper copies specified of all

amendments and committee reports. The copies shall be distributed to those persons as the Speaker shall designate with a view towards improving the legislative process and encouraging public awareness of and participation in matters pending before the House.

117.2 Floor Amendments to Bills. No amendment may be offered to a bill on second reading unless such amendment shall have been reduced to writing, saved in a computer format specified by the Speaker, filed with the Clerk and time-stamped at least two (2) hours prior to the convening of the session on the day on which the bill is called for second reading. A paper copy of each timely filed amendment shall be distributed to all members as soon as practicable and made available on the House computer network as soon as practicable.

118. Substituting Another Bill. No bill may be amended by annexing to it or incorporating with it any other bill pending before the House.

119. Substituting Different Subject Matter—House Bill.

119.1 No amendment proposed to a House bill substituting therein a different subject matter may be accepted, unless accompanied by the written consent of its author and coauthors.

119.2 The House shall reject all House bills that have been amended in the Senate by substituting therein the contents of a different bill or a different subject matter without having first received the written consent of its author and coauthors.

120. Substituting Different Subject Matter—Senate Bill. No House amendment proposed to a Senate bill substituting therein the contents of a different bill or a different subject matter may be accepted unless it is accompanied by the written consent of the author, coauthors, sponsor and cosponsors.

121. Effect of Tabling. If a motion to lay proposed amendments on the table prevails, it shall not affect the general subject to which the amendments are offered.

122. Appended to Bill. The text of all committee and floor amendments to a bill shall be appended to each printing of that bill, unless otherwise ordered by the House.

### D. COMMITTEE MEETINGS, CONSIDERATIONS, REPORTS

123. Record of Committee Vote. The vote of the committee shall be placed on the bill.

124. Approval of Digest. When a bill is reported out of committee, it shall be submitted to the Legislative Services Agency for approval or revision of the digest, as appropriate.

125. Committee Reports. A committee to which a bill has been referred may report thereon with or without amendments.

126. Effect of Motion to Postpone or Table. If a majority of the committee members present at a committee meeting vote to table or to postpone a bill indefinitely, the decision of the committee shall not be reported to the House.

127. House Action on Committee Reports. The report, with amendments, if any, shall be acted upon by the House upon its submission. Any bill with an annual fiscal impact to the State in excess of \$50,000 may be referred by the Speaker to and reported by the Committee on Ways and Means before it is eligible for second reading. Any bill which adds an additional or enhanced criminal penalty may be referred by the Speaker to and reported by the Committee on Courts and Criminal Code before it is eligible for second reading.

128. Minority Reports. Any member of a committee reporting who voted against adoption of the committee report may submit a separate report which shall be filed with the committee report and shall be a minority report. In the event a minority report is submitted, the report adopted by the recorded vote of a majority of the committee members present at a duly constituted meeting of

the committee shall be the majority report. A minority report duly filed with the Clerk for action by the House shall be voted upon before the majority report and, upon adoption, becomes the committee report. If the minority report is rejected, the House shall then act upon the majority report.

129. First Printing—Form. Every bill reported favorably by a committee, and other bills as directed by the House, shall be printed for the first time in bill form with the pages and lines numbered.

130. First Printing—Laid on Desks. After a bill is printed for the first time it shall be laid upon the desks of the members and shall be made available on the House computer network as soon as practicable.

131. Emphasize Amendments.

131.1 Whenever a bill proposing to amend the Constitution or any statute is printed, the text of the bill shall reflect each proposed change from the text of the Constitution or statute. This shall be accomplished by the use of bold face type to indicate the addition of new material and cancelled type to indicate the deletion of existing material.

131.2 Capitalization or punctuation changes made solely for the purpose of uniform style need not be indicated.

132. Type Face. No special type faces shall be used in the printed bill to indicate the occurrence of committee or floor amendments; instead, except as provided in Rule 131 the printing shall set forth the clean text of the bill as it appears after the committee and floor amendments have been implemented.

#### E. SECOND READING

141. Calendar of Bills. The Speaker shall, insofar as is practical, make up a daily calendar of all bills and resolutions which are due to be handed down for action either on second or third reading on the next meeting day. The calendar shall be laid upon the desks of the members as soon as practicable after adjournment, promptly posted in the hall, and made available on the House computer network.

142. Eligibility. A bill is eligible for its second reading on the second calendar day following distribution to the members.

143. Calling Down on Second Reading. When the time for second readings arrives, each member who is an author or sponsor of a bill shall be entitled to call down a bill for consideration by the House if the bill has been calendared by the Speaker for that day. A coauthor or cosponsor may call down a bill with the written consent of the author or sponsor. When the bill is called, the Speaker shall hand down the bill to be read and then state that the bill is ready for amendment, recommitment or engrossment.

143.1 If a bill is eligible for second reading and no amendments to the bill have been filed pursuant to Rule 117.2, the Speaker may, upon the request of the author and with consent of the members, immediately move the bill to engrossment.

144. Engrossment—Reprinting. All bills ordered to be engrossed shall be executed in typewritten or printed form and made available on the House computer network. Whenever a bill is amended on second reading, it shall be reprinted, unless at the discretion of the Speaker or by motion adopted, it is otherwise ordered. If the bill is reprinted, the reprinted bill shall be used for the engrossed bill, and if the bill is not reprinted the amendments shall be engrossed to the bill.

145. Engrossment—Supervision. Bills when ordered to engrossment shall be engrossed under the direction of the Speaker and the Committee on Rules and Legislative

Procedures. It is the duty of the Committee on Rules and Legislative Procedures to carefully compare the engrossed bills with the original bills and ascertain whether they have in all respects been accurately and correctly engrossed; if that committee ascertains any mistake, it shall be corrected under the committee's direction.

#### F. THIRD READING

146. Eligibility.

146.1 No bill shall be considered on third reading on the same meeting day that it passed to engrossment except on motion adopted pursuant to Rule 83.

146.2 The Speaker shall make a daily calendar of bills eligible for third reading.

146.3 When the time for third reading arrives, each member who is an author or sponsor of a bill shall be entitled to call down a bill for consideration by the House. A coauthor or cosponsor may call down a bill with the written consent of the author or sponsor. When the bill is called, the Speaker shall hand down the bill, state that it is on its passage and allow the author or sponsor to begin the debate.

147. Deadline for House Bills.

147.1 During the first regular session, no House bill shall be eligible for consideration on third reading after February 25.

147.2 During the second regular session, no House bill shall be eligible for consideration on third reading after February 3.

147.3 Upon recommendation of the Committee on Rules and Legislative Procedures, this rule may be suspended as to a specific bill by the approval of a constitutional majority.

148. Deadline for Senate Bills.

148.1 During the first regular session, no Senate bill shall be eligible for consideration on third reading after April 15.

148.2 During the second regular session, no Senate bill shall be eligible for consideration on third reading after March 3.

148.3 Upon recommendation of the Committee on Rules and Legislative Procedures, this rule may be suspended as to a specific bill by the approval of a constitutional majority.

148.4 No Senate bill or joint resolution amending the Constitution shall be received by the House after February 26 in the first session or February 4 in the second session.

148.5 The limitations set forth in this Rule shall not apply to bills concerning reapportionment or redistricting only.

149. Amendments. After a bill has been engrossed and ordered to third reading, it may not be amended except by unanimous consent. Thereafter upon motion of the author or sponsor, it may be recommitted to a committee of one with special instructions to amend by a two-thirds vote. In case any bill is amended after engrossment, the question may again be put on the engrossment of the bill.

149.1. No bill shall be eligible for third reading that specifically exempts the House, its members, staff and employees from laws applicable to the public at large.

150. Right to Close. The author or sponsor of a bill has a right to fifteen (15) minutes of time to close the debate upon it when it has reached its third reading. The right secured by this rule shall not be impaired, even after a demand for the previous question.

151. Final Passage—Majority but Not a Constitutional Majority. When a bill on its final passage receives a majority of the votes cast, but not a constitutional majority, the bill shall not be considered lost. When the third reading of the bill is in order any member who voted with the majority or who did not vote at all may, by motion adopted by a majority vote, reconsider the bill;

and the House shall take another vote thereon. Any number of votes may be taken in such cases by the House.

152. Final Passage—Tie Vote. When a bill on its final passage receives the same number of votes cast against it as for it, the bill shall not be considered lost; it may, when the third reading of bills is in order, be reconsidered upon the motion of any member.

153. Final Passage—More (But Less Than 51) Votes Against Than For. When a bill on its final passage receives more votes against than for it, but less than a constitutional majority, it may be considered under the provisions of Rule 94.

154. Final Passage—51 or More Votes Against.

154.1 Whenever a bill on its passage receives fifty-one (51) votes or more against its passage, the bill, as well as the subject matter of the bill, is decisively defeated, and neither the question nor any bill, conference committee report, or amendment on the same subject matter may be considered again during the session. However, the decisive defeat of a House bill does not prevent later consideration of or action upon a Senate bill on the same subject matter.

154.2 This rule does not apply to budget bills or state revenue raising measures.

155. Record of Vote on Final Passage. The vote on final passage shall be placed on the bill and entered in the House computer network.

#### G. CONCURRENCES, DISSENTS AND CONFERENCE COMMITTEES

156. Motions.

156.1 Motions to concur or dissent may be filed by the author, or by the first coauthor with written consent of the author. Such motions shall be prepared by the House attorney's offices, filed with the Principal Clerk, reproduced and distributed to the Representatives.

156.2 A motion to concur shall not be acted upon until such motion has been filed with the Principal Clerk and distributed to the Representatives at least two (2) hours before action is taken thereon.

156.3 A motion to dissent is eligible for a vote by the members of the House immediately after being filed with the Principal Clerk.

156.4 Motions to concur in Senate amendments shall be rejected unless approved by a constitutional majority of the members elected and such majority shall be established by a roll call vote.

157. Establishing Conference Committees.

157.1 If a motion is filed to dissent in Senate amendments to a House bill, the author may request that the Speaker appoint a conference committee, and if the Senate dissents in House amendments to a Senate bill, the President Pro Tempore may request by the appointment of Senate conferees that the Speaker appoint a conference committee.

157.2 The House conference committee consists of two Representatives appointed by the Speaker, with the first listed Representative being the chair. Advisors may be appointed at any time by the Speaker.

157.3 House conferees may be appointed or removed at any time by the Speaker, and the changes shall be posted on the House bulletin board located outside the hall and announced by the Speaker from the rostrum. The office of the House majority attorney and the House minority attorney shall be advised of conferee changes at the time of posting to the

bulletin board.

158. Meetings.

158.1 Each conference committee on House bills shall be open to the public, shall be held in the State House and shall convene only after at least two hours public notice. The notice shall include:

- (a) the bill number and subject matter of the bill or bills to be considered;
- (b) the time, day, date, and place of meeting;
- (c) the members of the conference committee; and
- (d) the chair of the conference committee.

158.2 It is the responsibility of the chair of the conference committee to advise the office of the Principal Clerk and the office of the Majority Caucus Chair of the holding of a conference committee meeting and to provide those offices with the information set forth in paragraph 158.1.

158.3 Notice of conference committee meetings including all information set forth in paragraph 158.1 shall be posted prominently on the House bulletin board located outside the hall for no less than two hours before the meeting.

159. Filing of Reports. No conference committee report shall be referred to the House until it has been signed by the four appointed conferees and approved as to form by the House majority attorney and filed with the Principal Clerk. The House minority attorney shall promptly receive a copy of the conference committee report after it has been approved by the House majority attorney.

160. Amended Digest. When a conference committee report is filed, an amended digest indicating the changes made shall also be filed.

161. Deadline.

161.1 In the first regular session, no conference committee report is eligible for consideration after April 15.

161.2 In the second regular session, no conference committee report is eligible for consideration after March 3.

161.3 Upon recommendation of the Committee on Rules and Legislative Procedures, this rule may be suspended as to a specific bill by the approval of a constitutional majority.

162. Placed on Members' Desks. All reports of conference committees for adjustment of differences between the House and Senate together with a digest of the bill shall be filed with the Principal Clerk, reproduced, placed on each member's desk, and made available on the House computer network as soon as practicable.

163. Time on Members' Desks.

163.1 During the first regular session, conference committee reports shall be laid over for twenty-four (24) hours after filing.

163.2 During the first regular session, the budget bill shall be laid over for twenty-four (24) hours after filing. This rule may not be suspended without a two-thirds (2/3) vote of the members of the House.

163.3 During the second regular session, such reports shall be laid over for twenty-four (24) hours after filing.

163.4 Such reports shall then be placed before the House for action.

#### H. ENROLLMENT

164. Copy Furnished to Author. A copy of each enrolled act shall be furnished to the author of the act at the time he signs it to certify its accuracy.

#### PART IX. LEGISLATIVE CODE OF ETHICS

165. The House of Representatives finds that high moral and ethical standards among members of the House of Representatives are essential to assure the trust, respect, and confidence of all Hoosiers in the Indiana General Assembly. The House of

Representatives believes that a code of ethics for the guidance of members will help them avoid conflicts of interest between their personal interests and livelihood and their public responsibilities.

The House of Representatives recognizes that service in the Indiana General Assembly is a part-time endeavor, that members are individuals who are active in the affairs of their communities, and that it is necessary and proper that they maintain a livelihood and sources of income apart from their legislative compensation. In recognition of a member's responsibilities to family, occupation and the citizens of this great state, and in response to IC 2-2.2-3-4, the House of Representatives adopts the following code of ethics.

166. Every candidate for election to the House of Representatives shall campaign and, if elected, shall serve with a personal commitment to integrity and dedicated public service focused on the best interest of the citizens of the state.

167. Every candidate for election to the House of Representatives shall accurately disclose his or her occupational, business, professional, and other financial interests as required by applicable law.

168. Every member of the House of Representatives shall, to the best of his or her ability, be fully objective when considering a proposition upon which he or she must act, keeping the welfare and best interests of the citizens of the state in mind at all times. Every member shall, to the best of his or her ability, conduct official duties in a manner that avoids the appearance of impropriety and bolsters public trust.

169. A member who knowingly has a direct personal or pecuniary interest in a legislative matter is precluded from authoring, sponsoring, or voting on the matter and should avoid public or private advocacy in furtherance of their own self-interest. The preclusion on voting shall not apply to budget or general revenue bills, but in such event, the member shall publicly disclose their interest. Nothing contained in this rule precludes a member from sharing their knowledge and expertise in a manner which does not advocate a particular outcome in a legislative matter.

Any member not voting under this Rule shall be considered present for the purpose of determining a quorum. If a significant number of members are so affected, the House of Representatives or a committee thereof, as the case may be, may, by a vote of two-thirds of those voting, permit such members to vote.

170. Any member traveling to a legislative conference or meeting at state expense shall attend a substantial number of meetings and official functions.

171. No member shall host an event which seeks to raise campaign contributions for the election or reelection of any member to the General Assembly during the period beginning on organization day for the first regular session of the General Assembly and ending on the next April 29.

172. A member, the member's candidate committee and regular party committee organized by a legislative caucus of the House of Representatives of the General Assembly shall not, for the election or reelection of any member to the General Assembly, solicit campaign contributions, accept campaign contributions, or conduct other fundraising activities during the period from one day before through the day after the day in November of each year that the General Assembly convenes.

173. Pursuant to IC 2-2.2-5-3, no member shall accept honoraria during his term of office. Payment or reimbursement of expenses actually incurred shall be allowed.

174. The Chairman or Vice Chairman of the ethics committee of the House of Representatives may receive and the ethics committee may act upon:

(1) a request from any member of the House of Representatives for a ruling by the ethics committee regarding the existence of a conflict of interest for the member and the recommended resolution of the same; and

(2) a complaint from any person alleging misconduct, a violation of state law, or a violation of this code of ethics by a member.

Any request or complaint shall be reduced to writing and signed by the person making the request or complaint. The ethics committee may, at the call of the Chairman, meet in public or executive session to consider the matter and make any rulings or recommendations.

Motion prevailed; the Rules were adopted.

#### HOUSE MOTION

Mr. Speaker: I move that the Joint Rules of the Senate and House of Representatives as shown in Exhibit A which is attached hereto and made a part hereof be hereby adopted as the Joint Rules of the 120th Indiana General Assembly, and that a committee of four members of this House be appointed by the Speaker, who, together with the Speaker, shall constitute the Committee on Joint Rules and who shall confer with a like committee of the Senate to formulate any additions to or changes in the Joint Rules of the two Houses, which, in their discretion, may be necessary or desirable, and that the Principal Clerk is hereby instructed to inform the Senate of this action.

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#### EXHIBIT A

#### JOINT RULES FOR CONDUCTING BUSINESS IN THE TWO HOUSES OF THE GENERAL ASSEMBLY OF THE STATE OF INDIANA

1. After a bill or resolution has passed one house and before it shall be transmitted to the other house for further action, it shall be the duty of the author to furnish to the clerk of the house of origin a card bearing the name of the party selected as sponsor in the other house, which card shall be attached to the bill and transmitted therewith.

2. (a) After a bill or joint resolution shall have passed both houses it shall be duly enrolled on paper, and the clerk of the house where it originated shall certify over his or her signature upon the back thereof the house in which it originated, the dates upon which it passed the House and Senate, respectively, and the number of votes cast for and against it in each house.

(b) Every enrolled bill or joint resolution shall be printed in enrolled act form. The session of the General Assembly shall be indicated on the face of such printed enrollment. In the case of enrolled bills proposing to amend any then existing Indiana statute, the text shall reflect any change from the text of the then existing statute. This shall be accomplished by the use of bold face type to indicate the addition of new material to the text of the then existing statute, and cancelled type to indicate the deletion of existing material.

3. Every bill or joint resolution, after having been enrolled, shall be examined by the Committee on Rules and Legislative Procedures of the house in which it originated, which shall compare the enrolled copy with the engrossed copy, or cause the author thereof to do so, taking special care that the engrossed amendments adopted by either house, if any there be, shall have been properly incorporated in said enrolled copy and shall report in writing to said house any errors therein.

4. (a) Every bill or joint resolution reported to have been duly enrolled shall be signed by the Speaker of the House of Representatives and the President and President Pro Tempore of the Senate. After which, every bill shall be presented by the

Secretary of the Senate or the Clerk of the House of Representatives to the Governor for his signature.

(b) Except as provided in this rule, all bills and joint resolutions shall be signed by the Speaker of the House of Representatives and the President of the Senate, in their houses respectively, when in session.

(c) During a recess period, the Speaker and the President of the Senate may sign bills and resolutions in their respective offices.

5. A record of all bills and resolutions signed, whether in session or during a recess, shall be kept in the Journals of each house.

6. When any paper or papers, proper to be acted upon by both houses, shall come before either, the house before which such paper or papers are laid shall, after acting thereupon, lay it or them before the other house.

7. (a) In every case of an amendment of a bill agreed to in one house, and dissented to in the other, either house may request a conference and appoint a committee for that purpose; the other house may also appoint a committee. A conference committee shall consist of two members from each house; one member from the house in which the bill or resolution originated shall be named as chairman by the appointing authority of the house of origination.

(b) Conferees shall state to each other verbally or in writing, as either shall choose, the reason of their respective houses for and against the amendment, and confer freely thereon and report to each house their proceedings thereon. Meetings of conference committees shall be held at a convenient hour agreed upon by the conferees and shall be open to the public, whenever feasible, in which event, notice shall be posted before such meeting in accordance with the rules of the house in which the bill originated. It is the intent of this joint rule to provide public access to the legislative process without hindering, intimidating or disrupting that process.

8. In all cases where the Doorkeeper of one house shall, by reason of official engagement, or other causes, be unable to execute the commands or process of the house of which he is an officer, it shall be the duty of the Doorkeeper of the other house to execute such commands, together with such process as may be directed to him by the presiding officer thereof.

9. A joint standing committee to be called the Committee on Joint Rules shall be appointed, to consist of four Senators, not more than two of whom shall be from the same political party, four Representatives, not more than two of whom shall be from the same political party, and the Speaker of the House of Representatives and the President Pro Tempore of the Senate, which last two officers shall be ex officio members of the Committee.

10. All joint conventions shall be held in the hall of the House of Representatives unless a different place shall be designated in the resolution by which such joint convention is convened. All such joint conventions shall be presided over by the President of the Senate, or if for any reason the President of the Senate be absent or decline to preside, then the President Pro Tempore of the Senate shall preside.

11. In all joint conventions and joint meetings of the two houses no business shall be transacted other than that for which they were assembled.

12. When a message is sent to the Senate or to the House of Representatives, it shall be delivered in written or electronic form to the Secretary of the Senate or the Clerk of the House, who shall deliver such message to the Chair.

13. Messages shall be sent by such persons as the President Pro Tempore of the Senate or Speaker of the House may designate for that purpose.

14. When bills which have passed one house are ordered to be printed in the other, a greater number of copies shall not be printed than may be necessary for the use of the house making the order.

15. This rule was deemed obsolete and removed in 2017.

16. Any proposed amendments to these rules shall be referred to the Committee on Joint Rules.

17. The Secretary of the Senate and the Clerk of the House of Representatives shall at the time of delivery of the enrolled acts and resolutions for the signature of the presiding officer leave with the minute clerk a copy of a written message setting out the numbers of the enrolled acts or resolutions so submitted.

18. A motion to recess for more than three days shall be deemed to have failed unless approved by a majority of the members elected in each house. Such majority shall be established by roll call vote.

19. The joint rules, upon adoption, shall govern the General Assembly for the term of that General Assembly unless suspended or amended.

20. If:

(1) two bills amending the same section of the Indiana Code are approved in the same session of the General Assembly, and neither bill recognizes the existence of the other;

(2) one bill amends a section of the Indiana Code and another bill repeals that section with an effective date preceding the effective date of the amendment; or

(3) two bills each add a new provision to the Indiana Code at the same code citation without either bill recognizing the addition made by the other and both bills are approved in the same session of the General Assembly;

one of the two bills may be corrected at enrollment to recognize the existence of the other by the Committee on Rules and Legislative Procedures of the House of Representatives and the Committee on Rules and Legislative Procedure of the Senate. However, a correction under this rule is limited to the extent necessary to resolve the technical conflict and may not be made unless the report of each of the two committees includes the written consent of the respective committee's ranking minority member. In addition, the committee report in each house must include the written consent of the corrected bill's author or sponsor, as the case may be, in that house. A technical conflict is one that does not change the substance of either bill. It is at the discretion of both the Committee on Rules and Legislative Procedures of the House of Representatives and the Committee on Rules and Legislative Procedure of the Senate as to whether a conflict is technical.

21. If a bill is passed which clearly expresses the intent that a SECTION thereof becomes effective on a date other than the standard statutory effective date set forth in the Indiana Code, but does not use the technical emergency provision for such effective date, then the Rules and Legislative Procedures Committee of the House of Representatives and the Rules and Legislative Procedure Committee of the Senate may correct the bill at enrollment to include the technical emergency provision for the expressed effective date. For the correction to be made, each house must adopt a committee report setting forth the correction and containing the written consent of the Chairperson and ranking minority member of the Rules Committee of that house and the author or sponsor of the bill in that house.

Motion prevailed; the Joint Rules were adopted.

#### HOUSE MOTION

Mr. Speaker: I move that a committee of four (4) members of this House be appointed by the Speaker to notify the Senate that the House of Representatives has met, formed a quorum, and has organized by the election of the following named officers:

Speaker: Brian C. Bosma

Principal Clerk: Caroline Spotts



and is now prepared to proceed with legislative business and to receive any communications which the Senate may transmit.

LEHMAN

Motion prevailed. The Speaker appointed Representatives Manning, Goodrich, Boy and Chyung.

#### COMMITTEE REPORT

Mr. Speaker: Your committee which was appointed by the Speaker to notify the Senate that the House has met, has formed a quorum, has organized by the election of its officers and is prepared to proceed with the legislative business to receive any communications which the Senate may transmit, respectfully reports that it has performed the duties assigned.

MANNING  
GOODRICH

BOY  
CHYUNG  
Committee of the House

Report adopted.

#### HOUSE MOTION

Mr. Speaker: I move that a committee of four (4) members of this House be appointed by the Speaker to act with a like committee of the Senate to wait upon the Governor and to notify him of the organization of both Houses of the General Assembly and to inform him that General Assembly is ready for the transaction of legislative business.

LEHMAN

Motion prevailed. The Speaker appointed Representatives Hostettler, Baird, Jackson and Beck

#### COMMITTEE REPORT

Mr. Speaker: Your committee which was appointed to act with a like committee of the Senate to wait upon the Governor, to notify him of the organization of both Houses of the General Assembly, and to inform him that they are ready for the transaction of legislative business, begs leave to report that they have performed the duties assigned.

HOSTETTLER  
BAIRD

JACKSON  
BECK  
Committee of the House

Report adopted.

#### HOUSE MOTION

Mr. Speaker: I move that the Speaker of the House of Representatives be authorized to appoint a select committee composed of three (3) members of the Majority Party, one of whom shall be named as Chair, and three (3) members of the Minority Party to receive the report of the State Recount Commission, or complete the hearings and recounts or contests if they are not substantially complete and to judge the elections, qualifications, and returns of the members of the House of Representatives. Further, that the Select Committee have the authority to conduct its business and to report on recounts and contests according to this motion.

- A. The Select Committee shall meet upon the call of the chair and shall conduct recounts or judge the elections, qualifications and returns of any member, or both. A quorum shall consist of three (3) members.
- B. The Chair of the Select Committee shall have the authority to order the impoundment of ballots, voting machines, computers, and any other documents and records concerning matters before the committee.
- C. The Chair of the Select Committee shall have the authority to subpoena any person or ballots, voting machines, computers, and any and all documents or records concerning matters before the committee.

- D. All notices, orders or subpoenas issued by the Select Committee may be served in any manner or through any person as authorized by the Chair of the Select Committee.
- E. Subject to the approval of the Speaker, the Chair of the Select Committee shall have the authority to employ any person to assist in making a recount or contest and to judge the election, qualifications, and returns of any member.
- F. No bond shall be required of nor costs assessed against any party concerning a recount petition or contest.
- G. The House Majority Attorney and the House Minority Attorney shall serve as counselors to the Select Committee.
- H. Each party to a recount petition or contest may be present or may have one (1) watcher present during the recount or determination of the contest.
- I. The Select Committee shall report its findings to the House of Representatives. If there be a minority report or, if the Select Committee be evenly divided, then there may be more than one report.

Further, I move that any petition for recount and cross petitions and any contest not timely filed with the Secretary of State under IC 3-12-11 or not stating one of the grounds set out therein will not be considered by the Select Committee or the House.

Further, I move that the Select Committee shall have all of the power necessary or appropriate to investigate any timely filed petition for recount and cross petition and any contest and report to the House of Representatives in order to allow the House to discharge its responsibilities under Article 4 of the Constitution of the State of Indiana.

STEUERWALD

Motion prevailed.

### RESOLUTIONS ON FIRST READING

#### House Concurrent Resolution 1

Representatives Bosma and GiaQuinta introduced House Concurrent Resolution 1:

A CONCURRENT RESOLUTION to allow the House of Representatives and the Senate of the 121st Indiana General Assembly to adjourn and recess separately throughout the First Regular Session for periods in excess of three (3) consecutive days as the need, in the judgment of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, respectively, may arise.

*Whereas, The Indiana House of Representatives and the Senate met for the purpose of organization of each House and to conduct the public business of the people of the State of Indiana;*

*Whereas, The Indiana House of Representatives and the Senate shall operate on their own respective schedules, having been separated from each other pursuant to IC 2-2.1-1-2;*

*Whereas, During the consideration of legislative business, each House may, in the respective judgment of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, deem it necessary to adjourn and recess for periods in excess of three (3) consecutive days and to operate on a schedule different from the other House;*

*Whereas, Article 4, Section 10 of the Constitution of the State of Indiana states that neither House shall, without consent of the other, adjourn for more than three (3) consecutive days;*

*Whereas, Each House desires to consent to any adjournment or recess by the other House which might last more than three (3) days during the First Regular Session of the 120th General Assembly; and*

*Whereas, The House of Representatives and the Senate intend to recess after November 20, 2018, and meet again on January 3, 2019, to conduct legislative business: Therefore,*

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

SECTION 1. That each House of the 120th Indiana General Assembly hereby consents to any adjournment or recess of the other House during the First Regular Session of the 120th Indiana General Assembly for a period in excess of three (3) days, where such recess or adjournment is approved, in the case of the Senate, by the President Pro Tempore of the Senate, or, in the case of the House of Representatives, by the Speaker of the House of Representatives.

SECTION 2. That the Principal Clerk of the House of Representatives is directed to inform the Senate of the passage of the resolution.

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

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

##### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolution 1 and the same is herewith returned to the House.

JENNIFER L. MERTZ  
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 adopted the following motion:

"I move that Senators Freeman, Crane, Niezgodski and Taylor be appointed as a committee of four members of the Senate to act with a like committee of the House of Representatives to wait upon the Governor and to notify him of the convening of both Houses of the General Assembly and to inform him that they are ready for the transaction of legislative business and to learn from him when it will suit his convenience to submit whatever communication he may have to offer to the General Assembly."

JENNIFER L. MERTZ  
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 adopted the following motion:

"I move that Senators Messmer, Merritt, Breaux and Lanane be appointed as a Committee of the Senate who,

together with the President Pro Tempore as ex officio member, shall constitute a Committee on Joint Rules, and who shall confer with the like Committee of the House of Representatives to formulate any additions to or changes in the Joint Rules of the two Houses which, in their discretion, may be necessary or desirable."

JENNIFER L. MERTZ  
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 adopted the following motion:

"I move that Senators Doriot, Ford Jon, Ford J.D. and Stoops be appointed as a committee of four members of the Senate to notify the House of Representatives that the Senate has met, has formed a quorum, and has organized by the election of the following named officers:

President Pro Tempore: Rodric Bray

Principal Secretary: Jennifer L. Mertz

and is now prepared to proceed with legislative business and to receive any communications which the House of Representatives may transmit. Senator Doriot shall serve as Chair of the Committee."

JENNIFER L. MERTZ  
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 adopted the Joint Rules of the Senate and House of Representatives as shown in Exhibit A which is attached hereto.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

##### HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 3, 2019, at 1:30 p.m.

LEHMAN

Motion prevailed.

On the motion of Representative T. Brown the House adjourned at 1:49 p.m., this twentieth day of November, 2018, until Thursday, January 3, 2019, at 1:30 p.m.

BRIAN C. BOSMA  
Speaker of the House of Representatives

M. CAROLINE SPOTTS  
Principal Clerk of the House of Representatives