



2011 INDIANA GENERAL ASSEMBLY
VOTING RECORDS
ON SELECTED BILLS AFFECTING CIVIL LIBERTIES

Joan Laskowski
VP Legislation

May 2011

KEY TO VOTING RECORDS

- + A vote in favor of the position of the ACLU-IN
- A vote contrary to the position of the ACLU-IN
 - O Absent or not voting
 - E Excused from voting

2011 SENATE VOTES ON BILLS WITH CIVIL LIBERTIES IMPACT

- 1. Corrections and sentencing** - SB 561 (Steele, Bray, Foley)
Permits sentences for low-level drug and theft offenses to be diverted from prison to community programs and treatment. Senate amendment greatly lengthens prison time for those convicted of violent felonies.
Status: Senate passed 46-3. No House hearing.
ACLU-IN supported the original bill promoting rehabilitation, reduced recidivism and reduced prison costs but opposed the amended version requiring new prison construction.
- 2. Arrest records** - HB 1211 (Turner, Steele)
Permits petitioning to limit noncriminal justice agencies' access to arrest and criminal records for certain offenders 8 years after completion of sentence and other obligations.
Status: Senate passed 45-5. House concurred. Governor signed.
ACLU-IN supported this aid to rehabilitation.
- 3. School scholarships** - HB 1003 (Behning, Kruse, Yoder)
Provides a tax deduction for a parent who sends a child to a private school or home schools the child.
Status: Senate passed 28-22. House concurred. Governor signed.
ACLU-IN opposed denial of state constitutional mandate for free public schools for all and use of tax money for the benefit of any religious institution.
- 4. Immigration matters** - SB 590 (Kruse, Boots, Koch)
Requires employers to use federal E-Verify database to ascertain immigration and citizenship status of applicants to avoid loss of tax deductions.
Status: Senate adopted conference report 35-15. House adopted. Governor signed.
ACLU-IN opposed preemption of federal jurisdiction, racial profiling, unreliability of federal databases.
- 5. Marriage** - HJR 6 (Turner, Kruse, Banks, Tomes)
Amends the state constitution to deny Indiana recognition of same-sex marriages or civil unions.
Status: Senate passed 40-10. House passed. Next action: 2013 or 2014 session.
ACLU-IN opposed denial of equal access to a fundamental right.
- 6. Abortion matters and physician privileges** - SB 328 (Sen. Leising amendment)
Limits the definition of contraception to the prevention of fertilization, which puts at risk contraceptives that prevent implantation, the beginning of pregnancy.
Status: Senate passed amendment 32-18.
ACLU-IN opposed limiting contraceptive choices.
- 7. Abortion matters and physician privileges** - SB 328 (Miller, Kruse, Banks, Culver)
Prohibits abortions after 20 weeks on grounds the fetus can feel pain; requires local hospital privileges for abortion providers.
Status: Senate passed 39-9. Amended into HB 1210.
ACLU-IN opposed mandate to give a patient medically inaccurate information and a physician requirement not applied to riskier outpatient procedures.

8. **Abortion matters** - HB 1210 (Sen. Schneider amendment)
Prohibits state Medicaid funding for Planned Parenthood of Indiana.
Status: Senate passed amendment 36-13.
ACLU-IN opposed denial of access to reproductive health care to low-income persons.
9. **Abortion matters** - HB 1210 (Turner, Miller, Walker, Banks)
Prohibits PPIN Medicaid funding. Prohibits abortions after 20 weeks except to save a woman's life; requires physicians to give a patient medically inaccurate information and to state a theological belief as fact. Prohibits abortion coverage in health insurance exchanges.
Status: Senate passed 35-13. House concurred. Governor signed.
ACLU-IN opposed restricting access to health care, to a constitutionally protected procedure, and to medically accurate information; opposed violation of physicians' First Amendment rights.
10. **Foreign law** - SB 520 (Steele, Waterman, Holdman, Borders)
Prohibits enforcement of a foreign law if it might violate a constitutional right.
Status: Senate passed 50-0. No House hearing.
ACLU-IN opposed this excluding of, e.g., treaties, human rights agreements, foreign common law.

INDIANA SENATE 2011 VOTING RECORDS

SENATE AVERAGE: 30%

	1	2	3	4	5	6	7	8	9	10	%
Alting-R	-	+	+	-	-	-	-	+	-	-	30
Arnold-D	-	-	+	+	+	+	-	+	+	-	60
Banks-R	-	+	-	-	-	-	-	-	-	-	10
Becker-R	+	+	+	-	-	+	-	+	+	-	60
Boots-R	-	+	+	-	-	+	+	-	+	-	50
Bray-R	-	+	-	-	-	-	-	-	-	-	10
Breaux-D	-	+	+	+	+	+	+	E	E	-	80
Broden-D	-	+	+	+	+	+	-	E	E	-	63
Buck-R	-	+	-	-	-	-	-	-	-	-	10
Charbonneau-R	-	+	-	-	-	-	-	-	-	-	10
Delph-R	E	+	-	-	-	-	E	-	-	-	13
Eckerty-R	-	+	-	-	-	-	-	-	-	-	10
Gard-R	-	+	-	+	-	-	-	-	-	-	20
Glick-R	-	-	-	-	-	-	-	-	-	-	0
Grooms-R	-	+	-	+	-	-	-	-	-	-	20
Head-R	-	-	+	-	-	-	-	-	-	-	10
Hershman-R	-	+	-	-	-	-	-	-	-	-	10
Holdman-R	-	+	-	-	-	-	-	-	-	-	10
Hume-D	-	+	+	+	+	+	-	-	-	-	50
Kenley-R	-	+	-	-	-	+	+	-	+	-	40
Kruse-R	-	+	-	-	-	-	-	-	-	-	10
Lanane-D	-	+	+	+	+	+	+	+	+	-	80
Landske-R	-	+	-	-	-	+	+	+	+	-	50
Lawson,C.-R	-	+	-	-	-	+	-	-	-	-	20
Leising-R	-	+	-	+	-	-	-	-	-	-	20
Long-R	-	+	-	-	-	-	-	-	-	-	10
Merritt-R	-	+	-	-	-	-	-	-	-	-	10
Miller-R	-	+	-	-	-	-	-	-	-	-	10
Mishler-R	-	+	+	-	-	-	-	-	-	-	20
Mrvan-D	-	-	+	+	-	-	-	+	+	-	40
Nugent-R	-	+	+	-	-	-	-	-	-	-	20
Paul-R	-	+	-	-	-	+	-	-	-	-	20
Randolph-D	-	+	+	+	+	+	+	+	+	-	80
Rogers-D	-	+	+	+	+	+	+	+	+	-	80
Schneider-R	-	+	-	-	-	-	-	-	-	-	10
Simpson-D	-	+	+	+	+	+	+	+	+	-	80
Skinner-D	+	-	+	-	-	+	-	+	-	-	40
Smith,J.-R	-	+	-	-	-	-	-	-	-	-	10
Steele-R	-	+	-	-	-	-	-	-	-	-	10
Tallian-D	-	+	+	+	+	+	0	+	+	-	78
Taylor-D	+	+	+	+	+	+	+	+	+	-	90
Tomes-R	-	+	+	-	-	-	-	-	-	-	20
Walker-R	-	+	-	-	-	-	-	-	-	-	10
Waltz-R	-	+	-	-	-	-	-	-	-	-	10
Waterman-R	-	+	+	-	-	-	-	-	-	-	20
Wyss-R	-	+	-	+	-	-	-	-	E	-	22
Yoder-R	-	+	-	-	-	-	-	-	-	-	10
Young,M.-R	-	+	-	-	-	-	-	-	-	-	10
Young,R.-D	-	+	+	-	-	+	-	-	-	-	30
Zakas-R	-	+	+	-	-	-	-	-	-	-	20

Lt. Gov. Becky Skillman, President-R

2011 HOUSE VOTES ON BILLS WITH CIVIL LIBERTIES IMPACT

1. **Arrest records** - HB 1211 (Turner, Steele)
Permits petitioning to limit noncriminal justice agencies' access to arrest and criminal records for certain offenders 8 years after completion of sentence and other obligations.
Status: House concurred with Senate version 74-14. Governor signed.
ACLU-IN supported this aid to rehabilitation.
2. **School scholarships** - HB 1003 (Repr. Austin amendment)
Permits parents of a student enrolled under a choice scholarship in a school that has a religious education curriculum to have the student excused from the school's religious instruction.
Status: House defeated the amendment 31-60.
ACLU-IN supported parents' right to guide a child's religious instruction.
3. **School scholarships** - HB 1003 (Behning, Kruse, Yoder)
Provides a tax deduction for a parent who sends a child to a private school or home schools the child.
Status: House concurred with Senate version 56-43. Governor signed.
ACLU-IN opposed denial of state constitutional mandate for free public schools for all and use of tax money for the benefit of any religious institution.
4. **Immigration matters** - SB 590 (Kruse, Boots, Koch)
Requires employers to use federal E-Verify database to ascertain immigration and citizenship status of applicants to avoid loss of tax deductions.
Status: House adopted conference report 68-30. Senate adopted. Governor signed.
ACLU-IN opposed preemption of federal jurisdiction, racial profiling, unreliability of federal databases.
5. **State official documents to be printed in English** - HB 1255 (Crouch, Tomes)
Requires that official documents or communications issued by the state must be issued only in the English language.
Status: House passed 63-26. No Senate hearing.
ACLU-IN opposed denial of equal protection.
6. **Marriage** - HJR 6 (Turner, Kruse, Banks, Tomes)
Amends the state constitution to deny Indiana recognition of same-sex marriages or civil unions.
Status: House passed 70-26. Senate passed. Next action: 2013 or 2014 session.
ACLU-IN opposed denial of equal access to a fundamental right.
7. **Abortion matters** - HB 1210 (Repr. Riecken amendment)
Includes rape, incest and woman's health exceptions to the ban on abortion after 20 weeks.
Status: House defeated the amendment 42-54.
ACLU-IN supported on the grounds of privacy, autonomy and dignity.
8. **Abortion matters** - HB 1210 (Turner, Miller, Walker, Banks)
Prohibits PPIN Medicaid funding. Prohibits abortions after 20 weeks except to save a woman's life; requires physicians to give a patient medically inaccurate information and

to state a theological belief as fact. Prohibits abortion coverage in health insurance exchanges.

Status: House concurred with Senate version 66-32. Governor signed.

ACLU-IN opposed restricting access to health care, to a constitutionally protected procedure, and to medically accurate information; opposed violation of physicians' First Amendment rights.

INDIANA HOUSE 2011 VOTING RECORDS
HOUSE AVERAGE: 42%

	1	2	3	4	5	6	7	8	%
Austin-D	+	+	+	+	+	+	+	+	100
Bacon-R	+	-	-	-	-	-	-	-	13
Baird-R	+	-	-	-	-	-	-	-	13
Bardon-D	0	+	+	+	0	+	+	+	100
Bartlett-D	+	+	+	+	E	+	+	+	100
Battles-D	-	+	+	-	-	-	0	+	43
Bauer-D	0	+	+	+	+	-	0	+	83
Behning-R	+	-	-	-	-	-	-	-	13
Borders-R	-	-	-	-	-	-	-	-	0
Bosma-R *	0	-	-	-	0	-	0	-	0
Brown,C.-D	0	0	+	+	+	E	+	+	100
Brown,T.-R	+	-	-	-	-	-	-	-	13
Burton-R	+	-	-	-	-	-	-	-	13
Ceatham-D	+	+	+	-	-	-	-	-	37
Cherry-R	+	-	-	-	-	-	-	-	13
Clere-R	+	-	-	+	-	+	-	-	37
Crawford-D	+	+	+	+	+	+	+	+	100
Crouch-R	+	-	-	-	-	-	-	-	13
Culver-R	+	-	-	-	-	-	-	-	13
Davis-R	+	-	-	-	-	-	-	-	13
Davisson-R	+	-	-	-	-	-	-	-	13
Day-D	E	+	E	+	+	+	+	E	100
Delaney-D	-	+	+	+	+	+	+	+	87
Dembowski-D	+	+	+	+	E	+	+	+	100
Dermody-R	+	-	-	-	-	-	-	-	13
Dobis-D	-	-	+	+	+	-	+	-	50
Dodge-R	+	-	-	-	-	-	-	-	13
Dvorak-D	+	E	+	+	+	+	+	+	100
Eberhart-R	-	-	-	-	-	-	+	-	13
Ellspermann-R	+	-	-	-	-	-	-	-	13
Espich-R	+	-	-	-	-	-	-	-	13
Foley-R	+	-	-	-	-	-	-	-	13
Friend-R	+	-	-	-	-	-	-	-	13
Frizzell-R	+	-	-	-	-	-	-	-	13
Fry-D	-	+	+	+	+	+	+	+	87
Frye-R	+	-	-	-	-	-	-	-	13
GiaQuinta-D	+	+	+	+	+	+	+	+	100
Goodin-D	-	+	+	-	-	-	+	-	37
Grubb-D	-	+	+	-	-	-	+	+	50
Gutwein-R	+	0	-	-	-	-	+	-	29
Harris,E.-D	+	+	+	+	+	+	+	+	100
Heaton-R	+	-	-	-	-	-	-	-	13
Heuer-R	+	-	-	-	-	-	+	-	25
Hinkle-R	+	-	+	+	+	-	-	-	50
Karickhoff-R	+	-	-	-	-	-	-	-	13
Kersey-D	+	+	+	-	-	-	+	+	63
Kirchofer-R	+	-	-	-	-	-	-	-	13
Klinker-D	+	-	+	+	+	+	+	-	75
Knollman-R	+	-	-	-	+	-	-	-	25
Koch-R	+	-	-	-	-	-	-	-	13

INDIANA HOUSE 2011 VOTING RECORDS

	1	2	3	4	5	6	7	8	%
Kubacki-R	+	-	-	-	-	-	+	-	25
Lawson,L.-D	+	+	+	+	E	+	+	+	100
Lehe-R	+	-	-	-	-	-	-	-	13
Lehman-R	+	-	-	-	-	-	-	-	13
Leonard-R	-	-	-	-	-	-	-	-	0
Lutz,J.-R	+	-	-	-	-	-	-	-	13
Mahan-R	+	-	-	-	-	-	-	-	13
McClain-R	+	-	-	-	-	-	-	-	13
McMillin-R	+	-	-	-	-	-	-	-	13
McNamara-R	+	-	+	-	-	-	+	-	37
Messmer-R	+	-	-	-	E	-	-	-	14
Morris-R	+	-	-	-	-	-	-	-	13
Moseley-D	-	+	+	+	E	-	+	-	57
Moses-D	-	+	+	-	-	+	+	+	63
Neese-R	-	-	+	-	-	-	-	-	13
Niezdowski-D	0	+	+	+	+	-	+	+	86
Noe-R	+	-	-	-	-	-	-	-	13
Pelath-D	0	+	+	+	+	+	+	+	100
Pflum-D	E	E	+	E	E	E	E	+	**
Pierce-D	+	+	+	+	+	+	+	+	100
Pond-R	+	-	-	-	-	-	+	-	25
Porter-D	0	+	+	+	+	+	+	+	100
Pryor-D	+	+	+	+	+	+	+	+	100
Reardon-D	0	0	+	+	+	+	+	+	100
Reske-D	-	+	+	-	-	-	+	+	50
Rhoads-R	+	+	-	-	-	-	-	-	25
Richardson-R	+	-	-	-	E	-	-	-	14
Riecken-D	+	E	+	0	+	+	+	+	100
Saunders-R	+	-	+	-	-	-	+	0	43
Smith,M.-R	+	-	-	-	-	-	-	-	13
Smith,V.-D	+	+	+	+	E	+	+	+	100
Soliday-R	+	-	-	-	-	-	-	-	13
Speedy-R	+	-	-	-	-	-	-	-	13
Stemler-D	-	+	+	-	E	E	-	-	33
Steuerwald-R	+	-	-	-	-	-	-	-	13
Stevenson-D	+	+	+	+	-	+	+	+	87
Sullivan-D	+	E	+	+	+	+	+	+	100
Summers-D	+	0	+	+	+	E	+	+	100
Thompson-R	+	-	-	-	-	-	-	-	13
Torr-R	+	-	-	-	+	-	-	-	25
Truitt-R	+	-	-	-	-	-	-	-	13
Turner-R	+	-	-	-	-	-	-	-	13
Tyler-D	0	+	+	-	-	+	+	+	71
Ubelhor-R	+	-	-	-	-	-	-	-	13
VanDenburgh-D	0	+	+	+	+	+	+	+	100
VanNatter-R	+	-	-	-	-	-	-	-	13
Welch-D	+	E	+	-	+	-	+	-	57
Wesco-R	+	-	-	-	-	-	-	-	13
Wolkins-R	+	-	-	-	-	-	-	-	13
Yarde-R	+	-	-	-	-	-	-	-	13

* As Speaker, Representative Bosma votes or not at his discretion.

** Percentages are based on at least three votes.