



Journal of the Senate

State of Indiana

118th General Assembly

Second Regular Session

Fifth Meeting Day

Monday Afternoon

January 13, 2014

The Senate convened at 1:36 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Pastor Kelly Barnes, Hope Baptist Church, Sunman.

The Pledge of Allegiance to the Flag was led by Senator Johnny Nugent.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Merritt
Arnold	Miller, Patricia
Banks	Miller, Pete
Becker	Mishler
Boots	Mrvan
Bray	Nugent
Breaux <input checked="" type="checkbox"/>	Paul <input checked="" type="checkbox"/>
Broden	Randolph
Buck	Rogers
Charbonneau	Schneider
Crider	Skinner
Delph	Smith
Eckerty	Steele
Glick	Stoops
Grooms	Tallian
Head	Taylor
Hershman	Tomes
Holdman	Walker
Hume	Waltz
Kenley	Waterman <input checked="" type="checkbox"/>
Kruse	Wyss
Lanane	Yoder
Landske <input checked="" type="checkbox"/>	Young, M.
Leising	Young, R.
Long	Zakas

Roll Call 6: present 46; excused 4. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

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

SB 193 — Breaux (Local Government)

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

SB 258 — Smith (Tax and Fiscal Policy)

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

SB 259 — Smith (Local Government)

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

SB 260 — Hershman (Local Government)

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

SB 261 — Hershman, Banks (Commerce, Economic Development and Technology)

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

SB 262 — Hershman (Health and Provider Services)

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

SB 263 — Broden (Homeland Security, Transportation and Veterans Affairs)

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

SB 264 — Banks, Schneider, Kruse (Education and Career Development)

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

SB 265 — Banks, Kruse (Education and Career Development)

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

SB 266 — Schneider (Appropriations)

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

SB 267 — Merritt (Utilities)

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

SB 268 — Broden, Wyss (Appropriations)

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

SB 269 — Broden (Tax and Fiscal Policy)

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

SB 270 — Pete Miller (Health and Provider Services)

A BILL FOR AN ACT concerning professions and occupations.

- SB 271** — Charbonneau (Environmental Affairs)
A BILL FOR AN ACT concerning natural resources.
- SB 272** — Buck (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.
- SB 273** — Buck (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- SB 274** — Tomes (Homeland Security, Transportation and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- SB 275** — Arnold (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 276** — Kruse (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 277** — Pete Miller (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 278** — Breaux, Rogers (Homeland Security, Transportation and Veterans Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 279** — Arnold (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 280** — Breaux (Civil Law)
A BILL FOR AN ACT to amend the Indiana Code concerning property.
- SB 281** — Delph (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.
- SB 282** — Eckerty (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 283** — Eckerty, Holdman (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 284** — Grooms (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 285** — Grooms (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning drugs.

- SB 286** — Taylor (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 287** — Broden (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- SB 288** — Smith (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.
- SB 289** — Smith (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 290** — Tallian, Steele (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.
- SB 291** — Waterman (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 89, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 21-42-7-2, AS ADDED BY P.L.57-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. **(a)** Each state educational institution shall adopt a policy to award educational credit to an individual who:

- (1) is enrolled in a state educational institution; and
- (2) successfully:

(A) completes courses that:

- ~~(A)~~ **(i)** are part of the individual's military service;
- ~~(B)~~ **(ii)** meet the standards of the American Council on Education, or the council's successor organization, for awarding academic credit; and
- ~~(C)~~ **(iii)** meet the state educational institution's role, scope, and mission;

(B) completes:

- (i) a College-Level Examination Program (CLEP) developed by the College Board;**
- (ii) a United States Department of Defense's Defense Activity for Non-Traditional Education Support Program examination; or**
- (iii) an Excelsior College Examination;**

that meets the state educational institution's role, scope, and mission during the individual's military

service in an active or reserve component of the armed forces of the United States or the Indiana National Guard or upon the individual's receiving an honorable discharge from the armed forces of the United States or the Indiana National Guard; or (C) completes courses at a postsecondary educational institution accredited by a regional accrediting agency or association or by an organization recognized by the United States Department of Education:

- (i) during the individual's military service in an active or reserve component of the armed forces of the United States or the Indiana National Guard or upon the individual's receiving an honorable discharge from the armed forces of the United States or the Indiana National Guard; and
- (ii) that meet the state educational institution's role, scope, and mission.

(b) The state educational institution's policy described in subsection (a) must provide that educational credit awarded to an individual under this section applies to the individual's undergraduate degree requirements if the credit is comparable and applicable, as reasonably determined by the state educational institution, to credit offered by the state educational institution and is necessary for the individual to meet the individual's undergraduate degree requirements at the state educational institution.

(c) The amount of educational credits that may be applied to an individual's degree requirements under subsection (b) may not exceed:

- (1) seventy-five percent (75%) of an individual's degree requirements, as determined by the state educational institution, if the state educational institution in which the individual is enrolled requires the individual to attend in person any course during any part of the student's enrollment at the state educational institution; or
- (2) seventy percent (70%) of an individual's degree requirements, as determined by the state educational institution, if one hundred percent (100%) of the degree requirements for the degree program is available online by the state educational institution.

SECTION 2. IC 21-42.5 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

ARTICLE 42.5. STATE EDUCATIONAL INSTITUTIONS: TRANSCRIPTS

Chapter 1. Transparency in Student Transcripts

Sec. 1. This chapter applies to state educational institutions.

Sec. 2. As used in this chapter, "unit of instruction" refers to the specific unit of a course offered by a state educational institution in which a particular student is enrolled and receives a grade.

Sec. 3. (a) Except as provided in subsection (b), after August 31, 2014, each state educational institution shall include on a student's transcript, for each unit of instruction in which the student was enrolled, the average grade that

was awarded to all students in the same unit of instruction. The average grade included on the student's transcript must be calculated using the grades initially reported to the state educational institution by the instructor. For a unit of instruction for which letter grades are awarded without a corresponding numerical score, the state educational institution shall include on the transcript the median grade that was awarded to all students in the same unit of instruction.

(b) Subsection (a) does not apply to a unit of instruction:

- (1) offered to students solely on a pass-fail basis or for independent study credit; or
- (2) in which grades are reported for ten (10) or fewer students.

Sec. 4. The commission for higher education shall adopt rules to administer this chapter.

(Reference is to SB 89 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Education and Career Development.

LONG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Economic Development and Technology, to which was referred Senate Bill 31, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

BUCK, Chair

Report adopted.

RESOLUTIONS ON SECOND READING

Senate Resolution 8

Senator Boots called up Senate Resolution 8 for second reading. The resolution was read a second time and adopted by voice vote.

SENATE BILLS ON SECOND READING

Senate Bill 16

Senator Banks called up Senate Bill 16 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 19

Senator Steele called up Senate Bill 19 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 24

Senator M. Young called up Senate Bill 24 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

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Senate 31

Senate Bill 32

Senator Tomes called up Senate Bill 32 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 51

Senator Patricia Miller called up Senate Bill 51 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 61

Senator Boots called up Senate Bill 61 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

SENATE MOTION

Madam President: I move that Senator Long be removed as author of Senate Bill 89 and that Senator Banks be substituted therefor.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as second author of Senate Bill 101.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senate Bill 55, assigned to the Senate Committee on Corrections, Criminal Law, be withdrawn from further consideration by the Senate.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senate Bill 157, assigned to the Senate Committee on Tax and Fiscal Policy, be withdrawn from further consideration by the Senate.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Patricia Miller, Banks, Hume, and Randolph be appointed to act with a like committee of the House of Representatives to wait upon the Governor and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly on January 14,

2014. Senator Patricia Miller shall serve as chairman of the committee.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Hershman, Bray, Broden, and Tallian be appointed to act with a like committee of the House of Representatives to wait upon the Chief Justice and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly on January 15, 2014. Senator Hershman shall serve as chairman of the committee.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be added as second author of Senate Bill 166.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be removed as author of Senate Bill 48 and that Senator Walker be substituted therefor.

TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as second author of Senate Bill 48.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as second author and Senator Eckerty be added as third author of Senate Bill 111.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be removed as author of Senate Bill 279 and that Senator Rogers be substituted therefor.

ARNOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be removed as author of Senate Bill 275 and that Senator Rogers be substituted therefor.

ARNOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author, Senator Delph be added as third author, and Senator Smith be added as coauthor of Senate Bill 113.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as third author and Senator Tomes be added as coauthor of Senate Bill 167.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, January 14, 2014.

LONG

Motion prevailed.

The Senate adjourned at 2:24 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUE ELLSPERMANN
President of the Senate