



Journal of the Senate

State of Indiana

118th General Assembly

Second Regular Session

Fifteenth Meeting Day

Monday Afternoon

February 3, 2014

The Senate convened at 2:20 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Pastor Tim Lindsey, Lifeline Baptist Church.

The Pledge of Allegiance to the Flag was led by Senator Rodric D. Bray.

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	Paul
Broden	Randolph
Buck	Rogers
Charbonneau	Schneider
Crider	Skinner
Delph	Smith
Eckerty <input type="checkbox"/>	Steele
Glick	Stoops
Grooms	Tallian
Head	Taylor
Hershman	Tomes
Holdman	Walker
Hume	Waltz
Kenley	Waterman
Kruse	Wyss
Lanane	Yoder
Landske <input type="checkbox"/>	Young, M.
Leising	Young, R.
Long	Zakas

Roll Call 93: present 48; excused 2. [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.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 13

Senate Concurrent Resolution 13, introduced by Senator Waterman:

A CONCURRENT RESOLUTION urging the legislative council to study the issue of involuntary commitment of persons with substance use disorders.

Whereas, This resolution may be referred to as "Jennifer's Resolution";

Whereas, The annual total estimated societal cost of substance abuse in the United States is \$510.8 billion;

Whereas, A 2010 study by the Indiana State Epidemiology and Outcomes Workgroup (SEOW) found that direct and indirect costs of substance abuse and related consequences burden the State of Indiana by an estimated \$7.3 billion per year;

Whereas, Cost-benefit analyses of treatment programs have indicated that every one dollar spent on treatment results in an average of seven dollars saved in benefits. These benefits include increased employment, fewer medical expenses, and decreased crime and crime-related expenses;

Whereas, Historically, greater than 80% of states' corrections budgets are spent on adults who use substances;

Whereas, Community-based treatment is significantly less expensive than incarceration. Calculations from other states have estimated annual savings of nearly \$20,000 per inmate;

Whereas, In 2012, approximately 25,000 Hoosiers were admitted to a substance abuse treatment program;

Whereas, Indiana Code 12-23-11-1 provides that an individual who is an alcoholic, incapacitated by alcohol, or a drug abuser may be involuntarily committed to the care of the Division for Alcoholics and Drug Abusers for treatment;

Whereas, Many Hoosiers with substance use disorders are not aware of substance abuse treatment facility options, nor are their friends and family members; and

Whereas, Further study is necessary to determine the reasons why more Hoosiers do not take advantage of treatment options, including involuntary commitment: Therefore,

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

SECTION 1. That the legislative council is urged to study the issue of involuntary commitment of persons with substance use disorders.

SECTION 2. That the legislative council is specifically urged to consider whether:

- (a) the involuntary commitment statute is underutilized;
- (b) the state should inform the public, law enforcement, and the

judiciary of the current Indiana laws on involuntary commitment; and

(c) the state has adequate resources to provide treatment for persons with substance use disorders.

SECTION 3. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Sharon Blair.

The resolution was read in full and referred to the Committee on Judiciary.

Senate Resolution 22

Senate Resolution 22, introduced by Senator Rogers:

A SENATE RESOLUTION urging the Indiana Department of Transportation to rename U.S. 20 in Lake County for the late Mayor Rudolph "Rudy" Clay.

Whereas, Rudolph "Rudy" Clay dutifully served the people of Gary and Lake County in a variety of capacities throughout four decades of public life;

Whereas, Rudy was born on July 16, 1936 in Alabama, and moved to Indiana at a very young age;

Whereas, Rudy is a graduate of Roosevelt High School and attended Indiana University;

Whereas, Prior to politics, Rudy served two years in the United States Army, and worked as an insurance agent in Midtown, Indiana;

Whereas, Rudy marched with Rev. Martin Luther King Jr. and Rev. Jesse Jackson Sr. at Gage Park in Chicago during the 1960s;

Whereas, Rudy was elected to the Indiana State Senate in 1972 to represent Indiana's 3rd District. He was the only African-American Senator in the General Assembly at the time;

Whereas, As a Senator, Rudy worked towards better treatment of prison inmates, a victims' compensation fund, a tenants' bill of rights, making Martin Luther King Jr. a state holiday, closing the Gary city dump, and fought against discriminatory hiring practices;

Whereas, Rudy was called on by then-Gov. Otis Bowen to negotiate a hostage situation in 1973 at the Indiana State Prison in Michigan City. The rioting inmates ended the 35-hour siege after they spoke with Clay;

Whereas, Following the State Senate, Rudy was elected to the Lake County Council, 2nd District, and served there from 1978 to 1984;

Whereas, Rudy was elected Lake County Recorder in 1984;

Whereas, In 1986, Rudy was shot at outside of his home by unidentified assailants. No charges were ever filed;

Whereas, The State Democratic Central Committee named Rudy the Lake County Party Chairman, a position in which he served from 2005 to 2009. Clay was the first African-American head of the Lake County Democratic Party;

Whereas, Following the resignation of Mayor Scott King, Rudy became Mayor in 2006. He would go on to win a popular election for mayor in 2007;

Whereas, Rudy served as Mayor of Gary, Indiana from 2006 through 2011. He decided not to seek reelection due to health concerns;

Whereas, Rudy passed away on June 4, 2013 at the age of 77: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. The Indiana State Senate recognizes Rudolph "Rudy" Clay for his many accomplishments and steadfast dedication to the people of Gary, Lake County, and the State of Indiana by urging the Indiana Department of Transportation to rename U.S. 20 in Lake County in his honor.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the Indiana Department of Transportation and Rudy's family.

The resolution was read in full and referred to the Committee on Homeland Security, Transportation and Veterans Affairs.

RESOLUTIONS ON SECOND READING

Senate Concurrent Resolution 8

Senator Steele called up Senate Concurrent Resolution 8 for second reading. The resolution was read a second time and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Koch.

SENATE BILLS ON SECOND READING

Senate Bill 18

Senator Steele called up Senate Bill 18 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 33

Senator Waterman called up Senate Bill 33 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 33-5)

Madam President: I move that Senate Bill 33 be amended to read as follows:

Page 1, line 5, delete "Indiana's navigable waters." and insert **"the Wabash River."**

Page 1, after line 11, begin a new paragraph and insert:

"(c) This section does not apply to a glass container for beverages stored or used inside an enclosed cabin of:

- (1) a watercraft (as defined under IC 9-13-2-198.5);**
- (2) a houseboat;**
- (3) a dinner boat; or**
- (4) any structure that is attached to a residence.**

(d) This section does not apply to a glass container for beverages being transported to or from:

- (1) a watercraft (as defined under IC 9-13-2-198.5);**
- (2) a houseboat;**
- (3) a dinner boat; or**
- (4) any structure that is attached to a residence."**

(Reference is to SB 33 as printed January 28, 2014.)

WATERMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 40

Senator Steele called up Senate Bill 40 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 52

Senator Steele called up Senate Bill 52 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 59

Senator Bray called up Senate Bill 59 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 59-5)

Madam President: I move that Senate Bill 59 be amended to read as follows:

Page 6, line 25, delete "a preponderance of the" and insert **"clear and convincing"**.

Page 6, between lines 34 and 35, begin a new paragraph and insert:

"(f) In making a determination under subsection (e), the court shall consider the risk of harm to the incapacitated person's physical or mental health, safety, or property if the court does not grant the petition and authorize the guardian to petition for dissolution of marriage, legal separation, or annulment of marriage on behalf of the incapacitated person.

(g) In making a determination under subsection (e), the court shall also give appropriate weight to evidence of:

- (1) the incapacitated person's intent or preferences; or**
- (2) a prior decision of the incapacitated person;**

for or against a dissolution of marriage, a legal separation, or an annulment of marriage. The court may reduce the weight

given to evidence of the intent, preferences, or prior decisions of the incapacitated person if the court concludes, from all of the relevant facts and circumstances, that the passage of time, the relevant circumstances at the time of a prior statement or action by the incapacitated person, or changed circumstances after a prior statement or action make the prior statement or action less reliable evidence of the incapacitated person's best interests and current preferences. The court may give no weight to evidence considered under this subsection that the court concludes is unreliable evidence of the incapacitated person's best interests and current preferences."

Page 6, line 35, delete "(f)" and insert **"(h)"**.

Page 10, line 24, delete "an" and insert **"a"**.

(Reference is to SB 59 as printed January 24, 2014.)

BRAY

Motion prevailed. The bill was ordered engrossed.

Senate Bill 60

Senator Boots called up Senate Bill 60 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 64

Senator Waltz called up Senate Bill 64 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 88

Senator Alting called up Senate Bill 88 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 91

Senator Schneider called up Senate Bill 91 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 91-1)

Madam President: I move that Senate Bill 91 be amended to read as follows:

Page 4, line 14, delete "(d)" and insert **"(e)"**.

Page 4, between lines 18 and 19, begin a new paragraph and insert:

"(d) Before the state board may authorize an assessment program under subsection (c), the state board shall submit the proposed assessment program to the budget committee for review."

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

Page 4, line 26, delete "(e)" and insert **"(f)"**.

(Reference is to SB 91 as printed January 31, 2014.)

SCHNEIDER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 104

Senator Tallian called up Senate Bill 104 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 109

Senator Buck called up Senate Bill 109 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 151

Senator Zakas called up Senate Bill 151 for second reading. The bill was reread a second time by title.

SENATE MOTION
(Amendment 151-1)

Madam President: I move that Senate Bill 151 be amended to read as follows:

Page 1, delete lines 1 through 16, begin a new paragraph and insert:

"SECTION 1. IC 32-25-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) Except as provided in subsection ~~(b)~~ **(d)**, in a voluntary conveyance, the grantee of a condominium unit is jointly and severally liable with the grantor for all unpaid assessments against the grantor for the grantor's share of the common expenses incurred before the grant or conveyance, without prejudice to the grantee's right to recover from the grantor the amounts of common expenses paid by the grantee.

(b) The grantee

~~(1) is entitled to a statement from the association, manager, or board of directors setting forth the amount of the unpaid assessments against the grantor. and~~

~~(2) is not liable for; nor shall the condominium unit conveyed be subject to a lien for; any unpaid assessments against the grantor in excess of the amount set forth in the statement.~~

(c) The grantee may obtain the statement of unpaid assessments described in subsection (b) by making a written request to the association, manager, or board of directors at:

(1) the last address at which the grantor made a payment of the assessments; or

(2) the address for the association, manager, or board of directors as listed in the records of the secretary of state.

(d) If the association, manager, or board of directors does not provide a statement of unpaid assessments not later than seven (7) business days after receipt of the written request, the:

(1) grantee is not liable for; and

(2) condominium unit conveyed is not subject to a lien for;

any unpaid assessments against the grantor."

Delete pages 2 though 4.

(Reference is to SB 151 as printed January 15, 2014.)

ZAKAS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 161

Senator Kenley called up Senate Bill 161 for second reading. The bill was reread a second time by title.

SENATE MOTION
(Amendment 161-1)

Madam President: I move that Senate Bill 161 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-2.5-2-2, AS AMENDED BY P.L.113-2010, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) The state gross retail tax is measured by the gross retail income received by a retail merchant in a retail unitary transaction and is imposed at seven percent (7%) of that gross retail income.

(b) If the tax computed under subsection (a) carried to the third decimal place results in the numeral in the third decimal place being greater than four (4), the amount of the tax shall be rounded to the next additional cent.

(c) A seller may elect to round the tax under subsection (b) on a transaction on an item basis or an invoice basis. However, a seller may not round the tax under subsection (b) to circumvent the tax that would otherwise be imposed on a transaction using an invoice basis."

Page 1, line 9, strike "with or".

Page 1, between lines 9 and 10, begin a new paragraph and insert:

"(c) For purposes of this section, "diabetic supply distributor" means a person that primarily sells blood glucose meters for resale and not for retail sale."

Page 1, line 10, strike "(c)" and insert "(d)".

Page 2, after line 4, begin a new line block indented and insert:

"(3) Blood glucose meters and the packaging or literature for a blood glucose meter furnished without charge by a diabetic supply distributor."

Renumber all SECTIONS consecutively.

(Reference is to SB 161 as printed January 17, 2014.)

KENLEY

Motion prevailed. The bill was ordered engrossed.

Senate Bill 169

Senator M. Young called up Senate Bill 169 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 169-2)

Madam President: I move that Senate Bill 169 be amended to

read as follows:

Page 2, line 33, delete "knows or" and insert "**knows:**".

Page 2, line 33, strike "has reasonable cause to".

Page 2, strike line 34.

Page 3, line 12, delete "or has reasonable cause to believe".

Page 3, line 16, delete "or has reasonable cause to believe".

Page 3, line 20, delete "knows or has reasonable cause to believe:" and insert "**knows:**".

Page 5, line 14, delete "knows or has reasonable cause to believe:" and insert "**knows:**".

Page 6, line 33, delete "knows or has reasonable cause to" and insert "**knows:**".

Page 6, delete line 34.

Page 7, line 3, delete "knows or has reasonable cause to" and insert "**knows:**".

Page 7, delete line 4.

(Reference is to SB 169 as printed January 31, 2014.)

M. YOUNG

Motion prevailed. The bill was ordered engrossed.

Senate Bill 170

Senator M. Young called up Senate Bill 170 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 171

Senator M. Young called up Senate Bill 171 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 174

Senator Patricia Miller called up Senate Bill 174 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 176

Senator Patricia Miller called up Senate Bill 176 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 176-1)

Madam President: I move that Senate Bill 176 be amended to read as follows:

Page 1, delete lines 1 through 16.

Delete pages 2 through 4.

Page 5, delete lines 1 through 4.

Page 16, delete lines 18 through 42.

Delete page 17.

Page 18, delete lines 1 through 28.

Page 61, delete line 17.

Re-number all SECTIONS consecutively.

(Reference is to SB 176 as printed January 29, 2014.)

KENLEY

Motion prevailed.

SENATE MOTION (Amendment 176-5)

Madam President: I move that Senate Bill 176 be amended to read as follows:

Page 50, between lines 23 and 24, begin a new paragraph and insert:

"Sec. 11. (a) Except as otherwise provided in this section, during the period beginning with the date on which an ordinance is adopted under this chapter to place a local public question on the ballot and continuing through the day on which the public question is submitted to the voters under this chapter, a political subdivision may not promote a position on the local public question by doing any of the following:

(1) Using facilities or equipment, including mail and messaging systems, owned by the political subdivision to promote a position on the local public question, unless equal access to the facilities or equipment is given to persons with a position opposite to that of the political subdivision.

(2) Making an expenditure of money from a fund controlled by the political subdivision to promote a position on the local public question.

(3) Using an employee to promote a position on the local public question during the employee's normal working hours or paid overtime, or otherwise compelling an employee to promote a position on the local public question at any time. However, if a person described in subsection (b) is advocating for or against a position on the local public question or discussing the local public question as authorized under subsection (b), an employee of the political subdivision may assist the person in presenting information on the public question if requested to do so by the person described in subsection (b).

However, this section does not prohibit an official or employee of the political subdivision from carrying out duties with respect to a local public question that are part of the normal and regular conduct of the official's or employee's office or agency, including the furnishing of factual information regarding the local public question in response to inquiries from any person.

(b) Notwithstanding any other law, an elected or appointed official of a political subdivision may:

(1) personally advocate for or against a position on a local public question; or

(2) discuss the public question with any individual, group, or organization or personally advocate for or against a position on a local public question before any individual, group, or organization;

so long as it is not done by using public funds. Advocacy or discussion allowed under this subsection is not considered a use of public funds."

(Reference is to SB 176 as printed January 29, 2014.)

PATRICIA MILLER

Motion prevailed.

SENATE MOTION
(Amendment 176-8)

Madam President: I move that Senate Bill 176 be amended to read as follows:

Page 40, line 14, delete "IC 8-25-1-7." and insert "**IC 8-25-1-6.**"

Page 44, line 42, delete "IC 8-25-1-7." and insert "**IC 8-25-1-6.**"

Page 47, delete lines 17 through 19.

Page 47, line 20, delete "7." and insert "**6.**"

Page 47, line 33, delete "8." and insert "**7.**"

Page 47, line 35, delete "9." and insert "**8.**"

Page 53, delete lines 15 through 23.

Page 53, line 24, delete "8." and insert "**7.**"

(Reference is to SB 176 as printed January 29, 2014.)

BREAUX

Motion failed.

SENATE MOTION
(Amendment 176-4)

Madam President: I move that Senate Bill 176 be amended to read as follows:

Page 59, delete lines 34 through 42.

Page 60, delete lines 1 through 21.

Re-number all SECTIONS consecutively.

(Reference is to SB 176 as printed January 29, 2014.)

TALLIAN

Upon request of Senator Tallian the President ordered the roll of the Senate to be called. Roll Call 94: yeas 15, nays 33.

Motion failed.

SENATE MOTION
(Amendment 176-9)

Madam President: I move that Senate Bill 176 be amended to read as follows:

Page 3, line 6, delete "for the improving, constructing, reconstructing," and insert "**to construct, reconstruct, or repair curbs, sidewalks, streets, and roads within the county containing a consolidated city.**"

Page 3, delete lines 7 through 12.

(Reference is to SB 176 as printed January 29, 2014.)

HERSHMAN

After discussion, Senator Hershman withdrew the motion to amend.

The bill was ordered engrossed.

Senate Bill 177

Senator Delph called up Senate Bill 177 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 177-3)

Madam President: I move that Senate Bill 177 be amended to read as follows:

Page 2, line 9, delete "," and insert ".".

Page 2, line 9, strike "unless:".

Page 2, delete lines 13 through 18.

Page 2, strike line 19.

Page 2, delete line 20.

Page 2, line 21, strike "(3)" and insert "**(2)**".

Page 2, line 21, after "A" insert "**retail or**".

Page 2, line 23, delete "(1)", begin a new line double block indented and insert:

"**(A)**".

Page 2, line 25, delete "(2)", begin a new line double block indented and insert:

"**(B)**".

Page 2, line 25, after "the" insert "**retail or**".

Page 2, line 26, delete "(A)", begin a new line triple block indented and insert:

"**(i)**".

Page 2, line 26, after "IC 14-24-5;" insert "**and**".

Page 2, line 27, delete "(B)", begin a new line triple block indented and insert:

"**(ii)**".

Page 2, line 27, delete "IC 14-24-7; and" and insert "**IC 14-24-7.**"

Page 2, delete lines 28 through 30.

Page 2, line 31, beginning with "The" begin a new line double block indented.

Page 2, line 31, delete "subdivision" and insert "**clause**".

Page 2, line 32, after "year." insert "**The department may sell excess nursery stock inventory to a wholesale business at the department's cost of production of the nursery stock.**"

Page 3, line 29, after "year" insert "**less the amount of excess nursery stock as of February 1 of the calendar year**".

(Reference is to SB 177 as printed January 29, 2014.)

DELPH

Motion prevailed. The bill was ordered engrossed.

Senate Bill 180

Senator Banks called up Senate Bill 180 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 183

Senator Yoder called up Senate Bill 183 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 187

Senator Glick called up Senate Bill 187 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 204

Senator Banks called up Senate Bill 204 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 204-1)

Madam President: I move that Senate Bill 204 be amended to read as follows:

Page 3, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 2. IC 20-28-3-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 0.5. Information containing teacher evaluation results that may be identified by teacher name, identification number, or other identifying criteria is confidential and exempt from disclosure requirements under IC 5-14-3-4.**"

Page 3, line 37, delete "A planned sequence of academic courses and experiences" and insert "**Any other entity approved by the department to offer a course of study leading to initial teacher licensure.**"

Page 3, delete lines 38 through 40.

Page 4, line 16, delete "(f)." and insert "**(f)(4).**"

Page 4, line 21, after "Beginning" delete "July" and insert "**December**".

Page 4, line 21, after "each" delete "July" and insert "**December**".

Page 4, line 22, delete "each teacher preparation program" and insert "**the department**".

Page 4, line 22, delete "report" and insert "**make**".

Page 4, line 23, delete "completed the teacher preparation" and insert "**have applied for an initial teaching license after the completion of an Indiana teacher preparation program during a reporting period that begins on September 1 of the year immediately preceding the reporting date and ending August 31 of the year in which the reporting date falls available on the department's Internet web site:**".

Page 4, delete line 24.

Page 4, line 38, after "positions" insert "**in Indiana**".

Page 5, line 4, delete "make the reported data available to the" and insert "**report the information to each teacher preparation program, disaggregated by licensure area. The information may be reported only for a licensure area that has at least ten (10) graduates. The disaggregated information may not be made available on the department's Internet web site.**"

Page 5, delete lines 5 through 24.

Page 5, line 25, reset in roman "(f)".

Page 5, line 25, delete "(g)".

Page 6, line 11, after "programs," insert "**other teacher preparation programs, or other postbaccalaureate programs,**".

Page 6, between lines 14 and 15, begin a new line block indented and insert:

"(4) The percentage of candidates admitted to the teacher preparation program who meet the Council for Accreditation of Educator Preparedness minimum criteria for admission."

Page 6, line 15, delete "(4)" and insert "**(5)**".

Page 6, line 23, delete "(5)" and insert "**(6)**".

Page 6, line 28, after "have" insert "**not**".

Page 6, line 32, delete "(6)" and insert "**(7)**".

Page 6, between lines 39 and 40, begin a new line blocked left and insert:

"The department shall make the reported data available to the public on the department's Internet web site not later than five (5) calendar days after receiving the data. Data that is disaggregated by individual teacher identifiers may not be made available to the public on the department's Internet web site."

Page 6, line 40, delete "(h)" and insert "**(g)**".

Page 7, line 6, delete "(i)" and insert "**(h)**".

Page 7, line 7, delete "and the commission for higher education,"

Page 7, line 14, delete "commission for higher" and insert "**state board under subsection (i).**"

Page 7, delete line 15.

Page 7, line 18, delete "(j)" and insert "**(i)**".

Page 7, line 19, delete "commission for" and insert "**state board**".

Page 7, line 20, delete "higher education".

Page 7, line 22, delete "commission for higher education" and insert "**state board**".

Page 7, line 29, delete "IC 21-18-9-5(3)." and insert "**IC 20-28-2-6.**"

Page 7, after line 42, begin a new line blocked left and insert: "**The department may not make data that is disaggregated by individual teacher identifiers available to the public on the department's Internet web site.**"

Page 8, line 13, delete "which" and insert "**that**".

Page 8, line 26, delete "aggregate" and insert "**disaggregated**".

Page 8, line 30, delete "." and insert "**and licensure area.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 204 as printed January 31, 2014.)

BANKS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 205

Senator Banks called up Senate Bill 205 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 205-1)

Madam President: I move that Senate Bill 205 be amended to read as follows:

Page 5, line 6, after "department" insert "**and the state board**".

Page 11, delete lines 4 through 42.

Delete pages 12 through 14.

(Reference is to SB 205 as printed January 31, 2014.)

BANKS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 223

Senator Holdman called up Senate Bill 223 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 225

Senator Kenley called up Senate Bill 225 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 233

Senator Grooms called up Senate Bill 233 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 233-1)

Madam President: I move that Senate Bill 233 be amended to read as follows:

Page 4, line 5, after "by" insert "**the**".

(Reference is to SB 233 as printed January 31, 2014.)

GROOMS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 235

Senator M. Young called up Senate Bill 235 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 244

Senator Patricia Miller called up Senate Bill 244 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 251

Senator Wyss called up Senate Bill 251 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 251-2)

Madam President: I move that Senate Bill 251 be amended to

read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 15-20-1-4, AS AMENDED BY P.L.158-2013, SECTION 226, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) Except as provided in subsection (b), the owner of a dog commits a Class C misdemeanor if:

(1) the owner recklessly, knowingly, or intentionally fails to take reasonable steps to restrain the dog;

(2) the dog enters property other than the property of the dog's owner; and

(3) as the result of the owner's failure to restrain the dog, the dog bites or attacks another person without provocation, resulting in bodily injury to the other person.

(b) The offense under subsection (a) is:

(1) a Class B misdemeanor if the person has been convicted of one (1) previous unrelated violation of this section;

(2) a Class A misdemeanor if

~~(A)~~ the person has been convicted of more than one (1) previous unrelated violation of this section; ~~or~~

~~(B)~~ the violation results in serious bodily injury to a person;

(3) a Level 6 felony if the owner recklessly violates this section and the violation results in **serious bodily injury to or** the death of a person; and

(4) a Level 5 felony if the owner intentionally or knowingly violates this section and the violation results in the death of a person.

(c) This subsection does not apply to a nonaggressive dog that goes beyond the owner's premises onto agricultural or forested land. An owner of a dog commits a Class D infraction if the owner of the dog allows the dog to stray beyond the owner's premises, unless the dog is under the reasonable control of an individual or the dog is engaged in lawful hunting and accompanied by the owner or a custodian of the dog. However, the offense is a Class C infraction if the owner has a prior unrelated judgment for a violation of this subsection."

Renumber all SECTIONS consecutively.

(Reference is to SB 251 as printed January 31, 2014.)

ZAKAS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 255

Senator Lanane called up Senate Bill 255 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 255-1)

Madam President: I move that Senate Bill 255 be amended to read as follows:

Page 6, line 1, delete "person is unconscious." and insert "**person**:"

(A) does not have the capacity to provide informed consent under IC 16-36-1; and
(B) is, based on the medical opinion of the health care provider, incapable of providing consent within the time for evidence to be collected through a forensic medical examination."

Page 6, delete line 2.

Page 6, line 3, delete "(3)" and insert "(2)".

Page 6, line 5, delete "(4)" and insert "(3)".

(Reference is to SB 255 as printed January 31, 2014.)

BREAUX

Motion prevailed. The bill was ordered engrossed.

Senate Bill 264

Senator Banks called up Senate Bill 264 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 272

Senator Buck called up Senate Bill 272 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 272-1)

Madam President: I move that Senate Bill 272 be amended to read as follows:

Page 2, between lines 12 and 13, begin a new line block indented and insert:

"(3) Require a performer who provides adult entertainment on the licensed premises to provide a written affidavit, signed under penalties of perjury, that the performer has not been convicted of one of the following offenses within the previous four (4) years:

(A) Prostitution (IC 35-45-4-2).

(B) Promoting prostitution (IC 35-45-4-4).

(C) A drug dealing offense (as defined by IC 11-12-3.7-3).

(D) An offense against the person (IC 35-42) if the offense is:

(i) committed against a patron of a licensed premises; and

(ii) a felony.

(E) Theft (IC 35-43-4-2), if the offense is committed against a patron of a licensed premises."

Page 2, line 13, delete "(3)" and insert "(4)".

(Reference is to SB 272 as printed January 31, 2014.)

BUCK

Motion prevailed. The bill was ordered engrossed.

Senate Bill 276

Senator Kruse called up Senate Bill 276 for second reading. The bill was read a second time by title. There being no

amendments, the bill was ordered engrossed.

Senate Bill 277

Senator Pete Miller called up Senate Bill 277 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 278

Senator Rogers called up Senate Bill 278 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that, pursuant to Senate Rule 76, I have received from Senator Eckerty, author of Senate Bill 282, permission for Senator Kruse, second author, to call this bill for second reading.

LONG

Report adopted.

SENATE BILLS ON SECOND READING

Senate Bill 282

Senator Kruse called up Senate Bill 282 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 282-1)

Madam President: I move that Senate Bill 282 be amended to read as follows:

Page 3, after line 18, begin a new paragraph and insert:

"(d) An eligible school that provides special education and related services to a student who receives an amount under section 4(2) of this chapter must comply with the same requirements as a school corporation under the Americans with Disabilities Act (42 U.S.C. 12101 et seq.)."

(Reference is to SB 282 as printed January 31, 2014.)

ROGERS

Upon request of Senator Rogers the President ordered the roll of the Senate to be called. Roll Call 95: yeas 14, nays 34.

Motion failed. The bill was ordered engrossed.

Senate Bill 284

Senator Grooms called up Senate Bill 284 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 290

Senator Tallian called up Senate Bill 290 for second reading.

The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 292

Senator Waterman called up Senate Bill 292 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 292-1)

Madam President: I move that Senate Bill 292 be amended to read as follows:

Page 4, delete lines 23 through 25.

Page 5, line 12, delete "provide a copy of" and insert "**make available to the state department upon request**".

Page 5, line 13, delete "to the state department." and insert "**The state department shall not disclose the name of a physician described in subsection (a)(2) or any other personally identifying information of the physician that is contained in the copy of the admitting privileges provided to the state department.**".

(Reference is to SB 292 as printed January 31, 2014.)

BREAUX

Motion failed. The bill was ordered engrossed.

Senate Bill 293

Senator Waterman called up Senate Bill 293 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 294

Senator Boots called up Senate Bill 294 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 308

Senator Wyss called up Senate Bill 308 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 312

Senator Head called up Senate Bill 312 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 312-1)

Madam President: I move that Senate Bill 312 be amended to read as follows:

Page 4, line 35, delete "past due".

Page 4, after line 42, begin a new paragraph and insert:

"Sec. 2. If a petition filed under section 1 of this chapter indicates that the petitioner has one (1) or more current child support obligations and the Title IV-D agency has entered an appearance:

(1) the court shall consider ordering the petitioner to secure a bond under IC 31-16-3.5 for the purpose of insuring the future payment of child support obligations; and

(2) if the purchase price of the payments assigned under section (1)(b)(8) is insufficient to secure a child support bond, then the court shall consider denying the petition."

Page 5, line 1, delete "2." and insert "3."

Page 5, line 35, delete "3." and insert "4."

Page 5, line 36, delete "." and insert "**and the child support bureau established by IC 31-25-3-1.**"

Page 5, line 37, delete "4." and insert "5."

Page 5, line 39, after "counsel" insert "**, the child support bureau established by IC 31-25-3-1,**".

Page 5, line 41, delete "5." and insert "6."

Page 5, line 41, delete "is" and insert "**and the child support bureau established by IC 31-25-3-1 are**".

Page 6, line 1, after "commission" insert "**and the child support bureau established by IC 31-25-3-1**".

Page 6, line 4, delete "6." and insert "7."

Page 6, line 9, delete "7." and insert "8."

Page 6, line 15, delete "8." and insert "9."

Page 6, line 26, delete "Sec. 9." and insert "**Sec. 10.**".

(Reference is to SB 312 as printed January 31, 2014.)

HEAD

Motion prevailed.

SENATE MOTION (Amendment 312-2)

Madam President: I move that Senate Bill 312 be amended to read as follows:

Page 2, line 31, delete "price" and insert "**prize**".

Page 4, line 21, delete "additional prize payments to the person;" and insert "**future payments to the person that are subject to an assignment made under IC 4-30-11-2.5;**".

Page 5, line 10, delete "of the prize" and insert "**that are subject to an assignment made under IC 4-30-11-2.5;**".

Page 5, delete line 11.

Page 5, line 13, delete "person;" and insert "**person that are subject to an assignment under IC 4-30-11-2.5;**".

(Reference is to SB 312 as printed January 31, 2014.)

HEAD

Motion prevailed. The bill was ordered engrossed.

Senate Bill 313

Senator M. Young called up Senate Bill 313 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 313-1)

Madam President: I move that Senate Bill 313 be amended to read as follows:

Delete the title and insert the following:
 A BILL FOR AN ACT concerning local government.
 Page 1, delete lines 1 through 16.
 Page 2, delete lines 1 through 4.
 Renumber all SECTIONS consecutively.
 (Reference is to SB 313 as printed January 31, 2014.)

M. YOUNG

Motion prevailed. The bill was ordered engrossed.

Senate Bill 321

Senator Schneider called up Senate Bill 321 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 321-1)

Madam President: I move that Senate Bill 321 be amended to read as follows:

Page 3, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 4. IC 20-24-7-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 14. The department may develop indicators for evaluating the financial condition of organizers and charter schools. The department may consider the following in the indicators developed under this section:**

- (1) **The amount of money allocated to the organizer.**
- (2) **The amount of money distributed to each charter school.**
- (3) **The cash balances of the organizer and each charter school.**
- (4) **The debt to revenue ratio of the organizer and each charter school.**
- (5) **Trends in the allocation and the distribution of state tuition support under IC 20-43 by the organizer.**
- (6) **Whether the organizer and each charter school have an annual structural financial deficit or a structural balance.**
- (7) **Any other factor that the department considers relevant to evaluating the fiscal condition of an organizer and each charter school.**

The department may use the data and indicators in presenting information and evaluation of the fiscal condition of organizers and charter schools on the department's Internet web site."

Renumber all SECTIONS consecutively.
 (Reference is to SB 321 as printed January 31, 2014.)

TALLIAN

Upon request of Senator Tallian the President ordered the roll of the Senate to be called. Roll Call 96: yeas 12, nays 35.

Motion failed.

SENATE MOTION (Amendment 321-2)

Madam President: I move that Senate Bill 321 be amended to read as follows:

Page 3, line 11, delete "or attributable to" and insert "**that are not directly related to the charter school the organizer operates in Indiana.**".

Page 3, delete line 12.

(Reference is to SB 321 as printed January 31, 2014.)

SCHNEIDER

Upon request of Senator Tallian the President ordered the roll of the Senate to be called. Roll Call 97: yeas 30, nays 18.

Motion prevailed. The bill was ordered engrossed.

Senate Bill 322

Senator Schneider called up Senate Bill 322 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 329

Senator Rogers called up Senate Bill 329 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 334

Senator Walker called up Senate Bill 334 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 334-1)

Madam President: I move that Senate Bill 334 be amended to read as follows:

Page 2, line 32, after "activities" insert "**as independent agents**".

Page 2, line 38, delete "depository institution" and insert "**federal savings bank**".

Page 5, line 31, delete ";" and insert "**a licensed mortgage loan originator;**".

Page 5, line 33, delete ";" and insert ",".

Page 5, line 34, delete ";" and insert "**as an independent agent;**".

Page 5, run in lines 33 through 34.

Page 5, line 38, delete "IC 24-4.4-1-202(b)(6)(a)," and insert "**IC 24-4.4-1-202(b)(6)(a) and as an independent agent,**".

Page 6, line 28, delete ";" and insert "**a licensed mortgage loan originator;**".

Page 6, line 30, delete ";" and insert ",".

Page 6, line 31, delete ";" and insert "**as an independent agent;**".

Page 6, run in lines 30 through 31.

Page 6, line 37, delete ", or" and insert "**a licensed mortgage loan originator, or that**".

Page 6, line 38, delete ",".

Page 6, line 38, after "a" insert "licensed".

Page 6, line 39, delete ";" and insert "as an independent agent;".

Page 7, line 4, delete ", or" and insert "a licensed mortgage loan originator, or that".

Page 7, line 6, delete ",".

Page 7, line 7, delete ";" and insert "as an independent agent;".

Page 7, line 13, delete "," and insert "a licensed mortgage loan originator,".

Page 7, line 14, delete ",".

Page 7, line 15, after "originator" insert "as an independent agent,".

Page 8, line 35, after "originators" insert "as independent agents".

Page 9, line 10, delete ";" and insert "one (1) or more licensed mortgage loan originators;".

Page 9, line 12, delete ";" and insert ",".

Page 9, line 13, delete ";" and insert "as independent agents;".

Page 9, run in lines 12 through 13.

Page 9, line 19, delete ";" and insert "one (1) or more licensed mortgage loan originators;".

Page 9, line 21, delete ";" and insert ",".

Page 9, line 22, delete ";" and insert "as independent agents;".

Page 9, run in lines 21 through 22.

Page 11, line 37, after "article" insert "or under IC 24-4.4-1-202(b)(6)(a)".

(Reference is to SB 334 as printed January 31, 2014.)

WALKER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 335

Senator Waltz called up Senate Bill 335 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 343

Senator Lanane called up Senate Bill 343 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 344

Senator Hume called up Senate Bill 344 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 366

Senator Schneider called up Senate Bill 366 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 366-1)

Madam President: I move that Senate Bill 366 be amended to read as follows:

Page 6, between lines 8 and 9, begin a new paragraph and insert:

"(h) If a court has issued a garnishment order to a third party and the garnishment order no longer applies to the third party due to a change in circumstances, the court may cancel the garnishment order and issue a new garnishment order to an appropriate third party, if all of the following conditions are met:

(1) The court has issued a garnishment order under subsection (a) or (b) with respect to a judgment debtor's income or profits in the hands of a third party.

(2) The judgment constitutes a continuing lien under subsection (c).

(3) Due to a change in circumstances, including a change of employment, the judgment debtor's income or profits are in the hands of a new third party not named in the garnishment order.

(4) The judgment creditor files a petition:

(A) notifying the court of the matters described in subdivisions (1) through (3); and

(B) informing the court of the name, address, and other relevant information concerning the new third party

holding the judgment debtor's income and profits.

A court may issue a new garnishment order under this subsection without holding a hearing."

(Reference is to SB 366 as printed January 31, 2014.)

ZAKAS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 367

Senator Hershman called up Senate Bill 367 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 367-3)

Madam President: I move that Senate Bill 367 be amended to read as follows:

Page 2, reset in roman lines 39 through 42.

Page 2, line 42, after "chapter." insert "**This subsection expires January 1, 2016.**".

Page 3, reset in roman lines 1 through 6.

Page 3, line 6, after "hearing." insert "**This subsection expires January 1, 2016.**".

Page 3, line 9, reset in roman "(a)".

Page 3, reset in roman lines 17 through 30.

Page 3, line 30, after "subdivision." insert "**This subsection expires January 1, 2016.**".

Page 29, line 16, after "shall" insert "**(before January 1,**

2016)".

Page 29, line 16, reset in roman "by publication".

Page 29, line 25, after "shall" insert "**(before January 1, 2016)**".

Page 29, line 25, reset in roman "publish the notice twice in".

Page 29, reset in roman lines 26 through 29.

Page 29, line 30, reset in roman "the publishing of the notice."

Page 29, line 30, after "notice." insert "**The political subdivision shall**".

Page 29, line 40, after "shall" insert "**also**".

Page 30, line 25, after "not" insert "**(before January 1, 2016) published and is not**".

Page 30, line 29, after "timely" insert "**publishes (before January 1, 2016) and timely**".

Page 30, line 34, after "gateway" delete "." and insert "**and (before January 1, 2016) to publish the amended information.**".

Page 33, line 7, after "site" delete ";" and insert "**and (before January 1, 2016) is published by the political subdivision according to a notice provided by the department;**".

Page 78, line 8, reset in roman "publication".

Page 78, line 8, after "publication" insert "**(before January 1, 2016) and**".

Page 78, line 27, reset in roman "publication".

Page 78, line 27, after "publication" insert "**(before January 1, 2016) and**".

(Reference is to SB 367 as printed January 31, 2014.)

HERSHMAN

Motion prevailed.

SENATE MOTION
(Amendment 367-6)

Madam President: I move that Senate Bill 367 be amended to read as follows:

Page 60, line 39, delete "section expires January 1," and insert "**chapter expires June 30,**".

(Reference is to SB 367 as printed January 31, 2014.)

HERSHMAN

Motion prevailed.

SENATE MOTION
(Amendment 367-1)

Madam President: I move that Senate Bill 367 be amended to read as follows:

Page 67, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 74. IC 6-7-1-37 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 37. (a) All reports required to be filed under this chapter must be filed in an electronic format prescribed by the department.**

(b) All taxes required to be remitted under this chapter

must be remitted in an electronic format prescribed by the department.

SECTION 75. IC 6-7-2-12, AS AMENDED BY P.L.172-2011, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 12. Before the fifteenth day of each month, each distributor liable for the tax imposed by this chapter shall:

(1) file a return with the department that includes all information required by the department including, but not limited to:

(A) name of distributor;

(B) address of distributor;

(C) license number of distributor;

(D) invoice date;

(E) invoice number;

(F) name and address of person from whom tobacco products were purchased or name and address of person to whom tobacco products were sold;

(G) the wholesale price for tobacco products other than moist snuff; and

(H) for moist snuff, the weight of the moist snuff; and

(2) pay the tax for which it is liable under this chapter for the preceding month minus the amount specified in section 13 of this chapter.

All returns required to be filed and taxes required to be paid under this chapter must be made in an electronic format prescribed by the department.

SECTION 76. IC 7.1-4-6-3.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3.5. ~~Filing of Returns~~. A person who is liable for the payment of an excise tax levied by this title shall file a monthly return with the department on or before the twentieth day of the month following the month in which the liability for the tax accrues by reason of the manufacture, sale, gift, or the withdrawal for sale or gift, of alcoholic beverages within this state. **The return must be filed in an electronic format as prescribed by the department. Payment of the excise tax due shall accompany the return, and shall be remitted electronically. Any other returns or forms required to be filed under this title must also be filed in an electronic format and on a date prescribed by the department.**

Renumber all SECTIONS consecutively.

(Reference is to SB 367 as printed January 31, 2014.)

KENLEY

Motion prevailed.

SENATE MOTION
(Amendment 367-7)

Madam President: I move that Senate Bill 367 be amended to read as follows:

Page 62, line 15, delete "northwest Indiana regional development" and insert "**county and the three (3) largest cities by population in the county as provided in IC 4-33-12-6(d)(1) and IC 4-33-12-6(d)(2).**".

Page 62, delete lines 16 through 17.
(Reference is to SB 367 as printed January 31, 2014.)

ROGERS

The Chair ordered a division of the Senate. Yeas 13, nays 34.

Motion failed.

SENATE MOTION
(Amendment 367-2)

Madam President: I move that Senate Bill 367 be amended to read as follows:

Page 40, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 29. IC 6-2.5-5-50 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 50. Sales of tangible personal property are exempt from the state gross retail tax if:**

(1) the property constitutes a label that will be affixed to or a sign that will be displayed with other tangible personal property being sold to a retail merchant that will be selling the other tangible personal property at retail; and

(2) the person acquiring the label or sign and selling the other tangible personal property to a retail merchant is required to affix the label to or provide the sign to display with the other tangible personal property for the purpose of complying with any state or federal statute, regulation, or standard."

Renumber all SECTIONS consecutively.

(Reference is to SB 367 as printed January 31, 2014.)

KENLEY

Motion prevailed. The bill was ordered engrossed.

Senate Bill 376

Senator Glick called up Senate Bill 376 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 376-2)

Madam President: I move that Senate Bill 376 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning environmental law.

Page 1, delete lines 1 through 16, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.**

(b) The general assembly urges the legislative council to assign to the appropriate committee for the 2014 interim period the task of studying whether an individual who is employed by the department of environmental management

and whose duties relate to permits or registrations involving:

- (1) advanced leachate management and bioreactor landfills;**
- (2) composting programs;**
- (3) construction and demolition management;**
- (4) household hazardous waste and conditionally exempt small quantity generator collection facility operations;**
- (5) integrated solid waste systems management;**
- (6) landfill operations;**
- (7) recycling systems;**
- (8) solid waste collection systems; or**
- (9) transfer stations;**

should be required to complete an educational program provided by the Solid Waste Association of North America concerning the subject set forth in subdivisions (1) through (9) to which the individual's duties relate.

(c) If the legislative council assigns a committee to conduct the study described in subsection (b), the committee shall issue to the legislative council a final report containing the committee's findings and recommendations, if any, in an electronic format under IC 5-14-6, not later than November 1, 2014.

(d) This SECTION expires December 31, 2014.

SECTION 2. **An emergency is declared for this act."**

Delete page 2.

(Reference is to SB 376 as printed January 29, 2014.)

GLICK

Motion prevailed. The bill was ordered engrossed.

Senate Bill 385

Senator Pete Miller called up Senate Bill 385 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 385-1)

Madam President: I move that Senate Bill 385 be amended to read as follows:

Page 9, between lines 36 and 37, begin a new line block indented and insert:

"(13) A county voter registration officer acting in accordance with IC 3-7."

Page 15, line 20, delete "cancelled" and insert "**canceled**".

Page 18, line 6, after "voters" insert "**at the expiration of the period ending**".

Page 19, delete lines 22 through 23, begin a new line block indented and insert:

"(2) The day after the second general election in which the voter has not voted or appeared to vote."

Page 19, line 24, delete "date" and insert "**day**".

Page 19, line 26, delete "at the expiration of the period ending" and insert "**not later than**".

Page 25, line 22, strike "may" and insert "**shall**".

Page 25, line 22, delete "." and insert ", **inspect the poll lists,**

and update the registration records of the county."

Page 25, line 22, strike "For the".
 Page 25, strike lines 23 through 33.
 Page 25, line 34, strike "the registration record of the county."
 Page 33, delete lines 1 through 35.
 Page 44, delete lines 32 through 42.
 Page 45, delete lines 1 through 27.
 Page 51, line 26, delete "(a)".
 Page 51, delete lines 28 through 32.
 Page 51, line 33, delete "provisional".
 Page 51, run in lines 27 through 33.
 Renumber all SECTIONS consecutively.
 (Reference is to SB 385 as printed January 28, 2014.)

PETE MILLER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 387

Senator Wyss called up Senate Bill 387 for second reading. The bill was read a second time by title.

SENATE MOTION
 (Amendment 387-1)

Madam President: I move that Senate Bill 387 be amended to read as follows:

Page 6, line 42, delete "materials, radiation machines, or electronic" and insert "**materials**";
 Page 7, delete line 1.
 (Reference is to SB 387 as printed January 31, 2014.)

WYSS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 395

Senator Steele called up Senate Bill 395 for second reading. The bill was read a second time by title.

SENATE MOTION
 (Amendment 395-2)

Madam President: I move that Senate Bill 395 be amended to read as follows:

Page 2, line 4, delete "fifteen" and insert "**ten**".
 Page 2, line 5, delete "(15%)" and insert "**(10%)**".
 (Reference is to SB 395 as printed January 31, 2014.)

BRODEN

Motion failed. The bill was ordered engrossed.

Senate Bill 404

Senator Yoder called up Senate Bill 404 for second reading. The bill was read a second time by title.

SENATE MOTION
 (Amendment 404-3)

Madam President: I move that Senate Bill 404 be amended to

read as follows:

Page 1, line 3, strike "For purposes of IC 14-22-20.5".
 Page 1, line 4, delete "and IC 14-22-20.7," and insert
 ""**Cervidae**" has the following meaning:

(1) For purposes of IC 14-22-20.5, the meaning set forth in IC 14-22-20.5-1.

(2) For purposes of IC 14-22-20.7, the term means privately owned white tail deer and elk."

Page 1, delete lines 5 through 11.

Page 3, line 9, delete "and Game Bird".

Page 3, delete lines 19 through 24, begin a new line block indented and insert:

**"(1) meets the requirements set forth in this chapter;
 (2) pays a fee of five thousand dollars (\$5,000); and
 (3) if applicable, operated at any time, a hunting preserve during the period beginning January 1, 2005, and ending December 31, 2013."**

Page 3, line 39, delete "fifty percent (50%)" and insert "**forty percent (40%)**".

Page 4, delete lines 24 through 27.

Page 4, line 28, delete "(9)" and insert "**(8)**".

Page 4, line 31, delete "(10)" and insert "**(9)**".

Page 4, line 34, delete "(11)" and insert "**(10)**".

Page 4, line 34, delete "must remove any tree that has a" and insert "**must either**:"

(A) remove any tree that has a four (4) inch or greater diameter that is within fifty (50) feet inside of the perimeter fence; or

(B) perform a daily inspection of the perimeter fence of the hunting preserve to discard any potential hazards to the perimeter fence; and

(C) maintain a fence alarm."

Page 4, delete lines 35 through 36.

Page 4, line 37, delete "(12)" and insert "**(11)**".

Page 4, line 40, delete "(13)" and insert "**(12)**".

Page 5, line 35, delete "The owner of a hunting preserve shall provide each hunter".

Page 5, delete line 36.

Page 5, line 37, delete "hunting preserve."

Page 6, line 26, delete "Deer may be hunted in the hunting preserve only" and insert "**White tail deer and elk may be hunted in a hunting preserve using a rifle that meets the following specifications:**

(1) Uses ammunition that has a diameter of not less than 0.243 calibers and not more than 0.458 calibers.

(2) Has a case length of not less than 1.8 inches and not more than 2.85 inches."

Page 6, delete lines 27 through 36.

Page 7, between lines 21 and 22, begin a new paragraph and insert:

"(e) The owner of a hunting preserve licensed under this chapter must own the real property where the hunting preserve is located."

Page 8, line 27, delete "and game birds".

Page 11, after line 12, begin a new paragraph and insert:

"SECTION 15. IC 15-17-7-7, AS ADDED BY P.L.2-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. (a) **This section does not apply to a licensed owner (as defined in IC 14-8-20.7-2) of a hunting preserve (as defined in IC 14-8-20.7-1).**

(b) Owners of cattle, goats, or cervids that are destroyed because they have:

- (1) reacted positively to a tuberculin test administered by:
 - (A) the state veterinarian or the state veterinarian's agent; or
 - (B) an agent of the United States Department of Agriculture; or
- (2) been exposed to tubercular animals;

are entitled to be indemnified for the cattle, goats, or cervids under the rules of the board and the United States Department of Agriculture, as applicable.

(b) (c) Indemnification by the state may not exceed the per animal limit set in the rules of the board.

(c) (d) Joint federal-state indemnity, plus salvage, may not exceed the appraised value of each animal.

(d) (e) State indemnity may not exceed federal indemnity on each animal.

SECTION 16. IC 15-17-10-6, AS ADDED BY P.L.2-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. (a) Except as provided in ~~subsection~~ **subsections (b) and (e)**, the owner of any animal or object condemned by the board shall be indemnified as provided in this article and regulations governing the payment of indemnity by the state or by the state in cooperation with the federal government. The length of time that a condemned animal has been in Indiana may not be considered when determining the payment of indemnity. The board or the board's agent shall determine indemnity amounts based on appraisals or other determinations of value made according to:

- (1) rules and policies adopted by the board; or
- (2) laws and policies of the federal government;

that govern indemnity payments.

(b) The board is not required to indemnify objects that are adulterated, misbranded, or condemned under IC 15-17-5, IC 15-18-1, or IC 16-42.

(c) The board may pay the cost of transporting, testing, treating, euthanizing, destroying, and disposing of infected, exposed, or suspect animals and objects.

(d) The board may pay the cost of cleaning and disinfecting for purposes allowed under this article.

(e) **The board is not required to indemnify a licensed owner (as defined in IC 14-8-20.7-1) of a hunting preserve (as defined in IC 14-8-20.7-1).**"

Renumber all SECTIONS consecutively.

(Reference is to SB 404 as printed January 29, 2014.)

YODER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 405

Senator Yoder called up Senate Bill 405 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 405-2)

Madam President: I move that Senate Bill 405 be amended to read as follows:

Page 2, line 1, strike "hydroexcavators;" and insert "**hydraulic excavators;**".

Page 6, line 3, delete "Information provided under".

Page 6, delete lines 4 through 10.

Page 7, line 41, delete "If, after receiving the information required under subsection" and insert "**If an operator receives, under section 16 of this chapter, notice of an excavation or demolition and determines that the operator is unable to do either or both of the following, the operator shall notify the person responsible for the excavation or demolition of the operator's determination and shall provide additional information and, if requested, onsite assistance to the person responsible for the excavation or demolition:**

(1) **Locate and mark the operator's affected underground facilities in the time required by subsection (a).**

(2) **Mark the approximate location of the operator's affected underground facilities.**"

Page 7, delete line 42.

Page 8, delete lines 1 through 14.

Page 8, line 27, after "feet," insert "**or if an underground facility is located or contained in or under pavement or another manmade hard surface,**".

Page 8, line 28, after "accomplished" insert "**only**".

Page 8, line 33, delete "notwithstanding section 9(9) of this chapter," and insert "**hydro vacuum excavation.**".

Page 8, delete lines 34 through 42, begin a new line double block indented and insert:

"(B) Mechanized equipment may not be used within the two (2) feet on either side of the outer limits of the physical plant unless the person responsible for the excavation or demolition does the following:

(i) **Visually identifies the precise location of the underground facilities or visually confirms that no facility is present within the depth of the excavation.**

(ii) **Takes reasonable precautions to avoid any substantial weakening of the underground facilities' structural or lateral support.**

(iii) **Takes reasonable precautions to avoid penetration or destruction of the underground facilities, including their protective coatings.**

(iv) **Requires an individual other than the equipment operator to visually monitor the excavation activity.**

(C) Mechanized equipment may be used for the initial penetration and removal of pavement or other

manmade hard surfaces if an underground facility is located or contained in or under pavement or another manmade hard surface, or if there is pavement or another manmade hard surface extending up to two (2) feet from either side of the outer limits of the physical plant, subject to the following:

(i) The person responsible for the excavation or demolition must plan the excavation to avoid damage to or minimize interference with the underground facilities, as required under subdivision (1).

(ii) The person responsible for the excavation or demolition must take into account the known limits of control of the mechanized equipment's cutting edge or point.

(iii) The mechanized equipment may be used only to the depth necessary to remove the pavement or other manmade hard surface."

Page 9, delete lines 1 through 4.

Page 9, after line 16, begin a new paragraph and insert:

"SECTION 7. [EFFECTIVE JULY 1, 2014] (a) The definitions in IC 8-1-26 apply throughout this SECTION.

(b) As used in this SECTION, "legislative council" means the legislative council created by IC 2-5-1.1-1.

(c) The general assembly urges the legislative council to assign to an interim or a statutory study committee during the 2014 legislative interim the topic of the technology (both technology that is currently available and technology that is under development) used to determine the elevation or depth, or both, of underground facilities that are subject to IC 8-1-26, including an examination of the following:

(1) The feasibility, benefits, and costs of requiring facility operators to provide elevation or depth information for their existing facilities or for facilities that are installed, repaired, or replaced.

(2) The appropriate tolerance zones for interstate pipelines regulated under 15 U.S.C. 717 et seq. or 49 U.S.C. 1 et seq. to ensure public safety and the integrity of the facilities.

(d) If an interim or a statutory study committee is assigned the topic described in subsection (c), the committee shall, not later than November 1, 2014, issue to the legislative council and to the governor a final report containing the committee's findings and recommendations, if any, on the topic described in subsection (c), including any recommended legislation for introduction in the general assembly. A report to the legislative council under this subsection must be in an electronic format under IC 5-14-6.

(e) This SECTION expires January 1, 2015."

Renumber all SECTIONS consecutively.

(Reference is to SB 405 as printed January 24, 2014.)

YODER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 408

Senator Becker called up Senate Bill 408 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 422

Senator Merritt called up Senate Bill 422 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 85

Senator Pete Miller called up Senate Bill 85 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 261

Senator Hershman called up Senate Bill 261 for second reading. The bill was read a second time by title.

SENATE MOTION

(Amendment 261-2)

Madam President: I move that Senate Bill 261 be amended to read as follows:

Page 3, between lines 41 and 42, begin a new paragraph and insert:

"Sec. 7. A CMc may perform a part of the work only if:

(1) the public agency approves of the CMc's performance of the work;

(2) the CMc is the lowest responsive and responsible bidder; and

(3) the CMc only performs such work that equals not more than ten percent (10%) of the total value of the project."

(Reference is to SB 261 as printed January 28, 2014.)

HERSHMAN

Motion prevailed.

SENATE MOTION

(Amendment 261-3)

Madam President: I move that Senate Bill 261 be amended to read as follows:

Page 1, between lines 9 and 10, begin a new paragraph and insert:

"Sec. 2. This article expires July 1, 2019."

(Reference is to SB 261 as printed January 28, 2014.)

HERSHMAN

Motion prevailed.

SENATE MOTION

(Amendment 261-5)

Madam President: I move that Senate Bill 261 be amended to read as follows:

Page 4, delete lines 41 through 42, begin a new paragraph and insert:

"Sec. 1. The CMC shall comply with all notice, bidding, construction, and contract administration requirements relating to public works contracts that the public agency must comply with under the applicable public works statutes.

Sec. 2. A first tier subcontract shall be awarded to the lowest responsive and responsible bidder for that contract."

Page 5, delete lines 1 through 2.

Page 5, line 3, delete "2" and insert "3".

Page 5, delete lines 13 through 31.

Page 5, line 32, delete "the lowest and best" and insert "a".

(Reference is to SB 261 as printed January 28, 2014.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

ENGROSSED JOINT RESOLUTIONS ON THIRD READING

Engrossed Senate Joint Resolution 9

Senator Steele called up Engrossed Senate Joint Resolution 9 for third reading:

A JOINT RESOLUTION proposing an amendment to Article 1 of the Constitution of the State of Indiana concerning natural and cultural resources.

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

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Eighteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 1 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY ADDING A NEW SECTION TO READ AS FOLLOWS: **Section 39. (a) The right to hunt, fish, and harvest wildlife:**

- (1) is a valued part of Indiana's heritage; and**
- (2) shall be forever preserved for the public good.**

(b) The people have a right, which includes the right to use traditional methods, to hunt, fish, and harvest wildlife, subject only to the laws prescribed by the General Assembly and rules prescribed by virtue of the authority of the General Assembly to:

- (1) promote wildlife conservation and management; and**
- (2) preserve the future of hunting and fishing.**
- (c) Hunting and fishing shall be a preferred means of managing and controlling wildlife.**
- (d) This section shall not be construed to limit the application of any provision of law relating to trespass or property rights.**

The joint resolution was read in full and placed upon its passage. The question was, Shall the joint resolution pass?

Roll Call 98: yeas 43, nays 4. The joint resolution was declared passed. The question was, Shall the title of the joint resolution remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the joint resolution. House sponsors: Representatives Eberhart, Messmer, and VanNatter.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 28

Senator Pete Miller called up Engrossed Senate Bill 28 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

Roll Call 99: yeas 46, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Wesco.

Engrossed Senate Bill 36

Senator Delph called up Engrossed Senate Bill 36 for third reading:

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

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

Roll Call 100: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Koch and Washburne.

Engrossed Senate Bill 80

Senator Long called up Engrossed Senate Bill 80 for third reading:

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

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

Roll Call 101: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Bosma and Pelath.

Engrossed Senate Bill 118

Senator Pete Miller called up Engrossed Senate Bill 118 for third reading:

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

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

Roll Call 102: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Brown and Braun.

Engrossed Senate Bill 156

Senator Head called up Engrossed Senate Bill 156 for third reading:

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

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

Roll Call 103: yeas 44, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Wolkins.

Engrossed Senate Bill 185

Senator Yoder called up Engrossed Senate Bill 185 for third reading:

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

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

Roll Call 104: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Ober, Culver, and Wesco.

Engrossed Senate Bill 208

Senator Walker called up Engrossed Senate Bill 208 for third reading:

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

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

Roll Call 105: yeas 48, nays 0. The bill was declared passed.

The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Heaton and Price.

Engrossed Senate Bill 212

Senator Stoops called up Engrossed Senate Bill 212 for third reading:

A BILL FOR AN ACT concerning environmental law.

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

Roll Call 106: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Wolkins.

Engrossed Senate Bill 217

Senator Charbonneau called up Engrossed Senate Bill 217 for third reading:

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

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

Roll Call 107: yeas 45, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Wolkins and VanNatter.

Engrossed Senate Bill 221

Senator Holdman called up Engrossed Senate Bill 221 for third reading:

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

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

Roll Call 108: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Heaton.

Engrossed Senate Bill 234

Senator Kruse called up Engrossed Senate Bill 234 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

Roll Call 109: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Wolkins, Niemeyer, Burton, and Battles.

Engrossed Senate Bill 271

Senator Charbonneau called up Engrossed Senate Bill 271 for third reading:

A BILL FOR AN ACT concerning natural resources.

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

Roll Call 110: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Koch, Stemler, and Wolkins.

Engrossed Senate Bill 304

Senator Merritt called up Engrossed Senate Bill 304 for third reading:

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

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

Roll Call 111: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Eberhart.

Engrossed Senate Bill 306

Senator Becker called up Engrossed Senate Bill 306 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

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

Roll Call 112: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Bacon and McNamara.

Engrossed Senate Bill 326

Senator Smith called up Engrossed Senate Bill 326 for third

reading:

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

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

Roll Call 113: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Thompson.

Engrossed Senate Bill 332

Senator Holdman called up Engrossed Senate Bill 332 for third reading:

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

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

Roll Call 114: yeas 46, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Messmer and GiaQuinta.

Engrossed Senate Bill 338

Senator Hershman called up Engrossed Senate Bill 338 for third reading:

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

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

Roll Call 115: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Turner and VanNatter.

Engrossed Senate Bill 340

Senator Merritt called up Engrossed Senate Bill 340 for third reading:

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

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

Roll Call 116: yeas 37, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the

bill. House sponsor: Representative Koch.

Engrossed Senate Bill 350

Senator Wyss called up Engrossed Senate Bill 350 for third reading:

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

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

Roll Call 117: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Soliday and DeLaney.

Engrossed Senate Bill 352

Senator Paul called up Engrossed Senate Bill 352 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning the military and veterans.

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

Roll Call 118: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Hamm and Saunders.

Engrossed Senate Bill 354

Senator Paul called up Engrossed Senate Bill 354 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

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

Roll Call 119: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Hamm and Saunders.

Engrossed Senate Bill 357

Senator R. Young called up Engrossed Senate Bill 357 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

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

Roll Call 120: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Clere, Lehe, and Friend.

SENATE MOTION

Madam President: I move that Senator Arnold be added as coauthor of Senate Bill 18.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Engrossed Senate Bill 409.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Engrossed Senate Bill 406.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 171.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Engrossed Senate Bill 397.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Altig be added as second author of Engrossed Senate Bill 33.

WATERMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Engrossed Senate Bill 80.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 343.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 255.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 329.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 278.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as coauthor of Senate Bill 170.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 187.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 284.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 251.

WYSS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Engrossed Senate Bill 271.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as coauthor of Senate Bill 277.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 276.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 244.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as coauthor of Senate Bill 223.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as coauthor of Senate Bill 204.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 60.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as coauthor of Senate Bill 187.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as coauthor of Senate Bill 40.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 422.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 276.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 272.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as third author of Engrossed Senate Bill 340.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as third author of Senate Bill 80.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Engrossed Senate Bill 156.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Breaux and Leising be added as coauthors of Senate Bill 408.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Pete Miller be added as second author of Senate Bill 338.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as third author of Senate Bill 223.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Long be added as second author of Senate Bill 308.

WYSS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as coauthor of Senate Bill 169.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author of Senate Bill 225.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 177.

DELPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 223.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 171.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author of Senate Bill 31.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as coauthor of Engrossed Senate Bill 234.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be added as coauthor of Engrossed Senate Bill 357.

R. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as coauthor of Senate Bill 276.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as coauthor of Engrossed Senate Bill 375.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as coauthor of Engrossed Senate Bill 261.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Paul be removed as coauthor of Engrossed Senate Bill 300.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Paul be added as second author of Engrossed Senate Bill 300.

R. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as second author and Senator Becker be added as third author of Senate Bill 88.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as coauthor of Senate Bill 251.

WYSS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author of Senate Bill 312.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as second author of Senate Bill 244.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be removed as coauthor of Senate Bill 233.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be added as second author of Senate Bill 233.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 244.

PATRICIA MILLER

Motion prevailed.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1001, 1028, 1051, 1062, 1205, 1217, 1218, 1237, 1242, 1246, 1268, 1269, 1286, 1300, 1301, 1321, 1323, 1335, 1336, 1342, 1358, 1361, and 1378 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1003, 1006, 1013, 1035, 1036, 1059, 1061, 1064, 1070, 1114, 1116, 1123, 1134, 1143, 1170, and 1198 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1020, 1032, 1063, 1079, 1095, 1096, 1104, 1110, 1119, 1121, 1126, 1132, 1140, 1155, and 1206 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

6:09 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 6:26 p.m., with the President of the Senate in the Chair.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 359

Senator Charbonneau called up Engrossed Senate Bill 359 for third reading:

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

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

Roll Call 121: yeas 45, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lehe, Gutwein, and Niemeyer.

Engrossed Senate Bill 363

Senator Mishler called up Engrossed Senate Bill 363 for third reading:

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

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

Roll Call 122: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Thompson.

Engrossed Senate Bill 377

Senator Glick called up Engrossed Senate Bill 377 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

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

Roll Call 123: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Smaltz.

Engrossed Senate Bill 393

Senator Waterman called up Engrossed Senate Bill 393 for third reading:

A BILL FOR AN ACT concerning the general assembly.

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 124: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Washburne and Heaton.

Engrossed Senate Bill 394

Senator Bray called up Engrossed Senate Bill 394 for third reading:

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

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

Roll Call 125: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Torr and McMillin.

Engrossed Senate Bill 396

Senator Hershman called up Engrossed Senate Bill 396 for third reading:

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

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

Roll Call 126: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Koch, VanNatter, and Hale.

Engrossed Senate Bill 397

Senator Leising called up Engrossed Senate Bill 397 for third reading:

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

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

Roll Call 127: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Eberhart, Zimke, and Saunders.

Engrossed Senate Bill 406

Senator Mishler called up Engrossed Senate Bill 406 for third reading:

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

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

Roll Call 128: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Clere and T. Brown.

Engrossed Senate Bill 409

Senator Zakas called up Engrossed Senate Bill 409 for third reading:

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

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

Roll Call 129: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Clere.

Engrossed Senate Bill 419

Senator Pete Miller called up Engrossed Senate Bill 419 for third reading:

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

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

Roll Call 130: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frizzell.

Engrossed Senate Bill 420

Senator Head called up Engrossed Senate Bill 420 for third reading:

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

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

Roll Call 131: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative M. Smith.

Engrossed Senate Bill 421

Senator Head called up Engrossed Senate Bill 421 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

Roll Call 132: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Rhoads.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 409.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as third author of Senate Bill 406.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Hershman, Patricia Miller, Nugent, Kruse, and Holdman be added as coauthors of Engrossed Senate Bill 352.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Patricia Miller, Nugent, Kruse, Holdman, and Steele be added as coauthors of Engrossed Senate Bill 354.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kenley be added as coauthor of Engrossed Senate Bill 352.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kenley be added as coauthor of Engrossed Senate Bill 354.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 8:30 a.m., Tuesday, February 4, 2014.

LONG

Motion prevailed.

The Senate adjourned at 6:58 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUE ELLSPERMANN
President of the Senate