



Journal of the Senate

State of Indiana

118th General Assembly

Second Regular Session

Eighth Meeting Day

Thursday Afternoon

January 16, 2014

The Senate convened at 1:35 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Dr. David Wright, President, Indiana Wesleyan University.

The Pledge of Allegiance to the Flag was led by Senator James E. Banks.

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

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

Roll Call 14: present 43; excused 7. [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.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 20, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 19, delete "or conditionally accredited as a

candidate".

Page 3, line 38, after "institution" insert "**or a postsecondary proprietary educational institution described in IC 21-7-13-6(a)(5)**".

Page 3, line 41, delete ";" and insert "**or the postsecondary proprietary educational institution;**".

Page 4, line 2, delete "," and insert "**or the postsecondary proprietary educational institution,**".

Page 4, line 5, delete "or is a postsecondary proprietary educational".

Page 4, line 6, delete "institution described in IC 21-7-13-6(a)(5)".

Page 4, line 39, delete "," and insert "**or a postsecondary proprietary educational institution described in IC 21-7-13-6(a)(5),**".

Page 5, line 1, delete "or is a postsecondary" and insert ",".

Page 5, delete line 2.

Page 5, line 3, delete "IC 21-7-13-6(a)(5)".

(Reference is to SB 20 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 10, Nays 1.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 27, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 31-17-4.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

Chapter 4.5. Requirements When Adoption is Pending for a Child Who is the Subject of a Custody, Parenting Time, or Modification of Custody or Parenting Time Action

Sec. 1. An individual shall give notice of a custody, parenting time, or modification of custody or parenting time action to an attorney or agency that:

(1) serves the individual with notice under:

(A) IC 31-19-3;

(B) IC 31-19-4; or

(C) IC 31-19-4.5; or

(2) informs the individual in any other manner.

Sec. 2. An individual who:

(1) has not been served notice of an adoption as described in section 1 of this chapter;

(2) is a party to a custody, parenting time, or modification of custody or parenting time action under this article;

(3) knows that an adoption has been filed regarding the child who is the subject of the custody, parenting time, or modification of custody or parenting time action; and

(4) knows the court in which the adoption is pending; shall serve the clerk of the court having jurisdiction over the adoption with a notice of the custody, parenting time, or modification of custody or parenting time action.

Sec. 3. The notice under sections 1 and 2 of this chapter must include:

- (1) the name of the court;
- (2) the cause number; and
- (3) the date of filing;

of the custody, parenting time, or modification of custody or parenting time action.

Sec. 4. Upon notice that a court in which an adoption is pending has assumed jurisdiction of a custody, parenting time, or modification of custody or parenting time action under IC 31-19-2-15, the court in which the custody, parenting time, or modification of custody or parenting time action was pending shall stay all proceedings in the custody, parenting time, or modification of custody or parenting time action until further order from the court in which the adoption is pending.

SECTION 2. IC 31-19-2-13, AS AMENDED BY P.L.145-2006, SECTION 246, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 13. (a) Except for a child who is under the care and supervision of the department, a petitioner for adoption may file a separate, ex parte, verified petition requesting temporary custody of a child sought to be adopted at the time of or any time after the filing of a petition for adoption. The petition for temporary custody must be signed by each petitioner for adoption.

(b) A court may grant a petition for temporary custody filed under subsection (a) if the court finds that:

- (1) the petition for adoption is in proper form; and
- (2) placing the child with the petitioner or petitioners for adoption pending the hearing on the petition for adoption is in the best interests of the child.

(c) If temporary custody is granted under this section, the petitioner or petitioners for adoption are legally and financially responsible for the child until otherwise ordered by the court.

(d) To the extent that a temporary custody order issued under this section conflicts with a custody order issued under IC 31-14 or IC 31-17, a temporary order under this section controls.

SECTION 3. IC 31-19-2-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 15. (a) Except for a child who is under the care and supervision of the department, if a petition for adoption and a petition seeking custody, parenting time, or modification of custody or parenting time are pending at the same time for a child sought to be adopted, the court in which the petition for adoption has

been filed may consolidate the custody, parenting time, or modification of custody or parenting time proceeding with the adoption proceeding.

(b) If the court consolidates the proceedings as described in subsection (a), the court in which the petition for adoption has been filed has exclusive jurisdiction over the child.

(c) If the petition for adoption is dismissed, the court hearing a consolidated adoption and custody, parenting time, or modification of custody or parenting time proceeding shall determine who has custody of the child under IC 31-19-11-5.

(d) Following a dismissal of the adoption petition under subsection (c), if the court consolidated the proceedings as described in subsection (a), the court shall return the custody, parenting time, or modification of custody or parenting time proceeding to the court in which it was originally filed. When the custody, parenting time, or modification of custody or parenting time proceeding is returned to the court in which it was originally filed, the court assumes jurisdiction over the child, subject to any provisions of the consolidated court's order under IC 31-19-11-5."

Page 1, line 3, strike "hear and".

Page 1, line 3, strike "if an appeal of a decision".

Page 1, line 4, strike "regarding the termination of the parent-child relationship is pending." and insert "**of a child if:**

(1) the parent-child relationship between the child and a parent has been terminated; and

(2) one (1) or more of the following apply with respect to the termination described in subdivision (1):

(A) The time for filing an appeal (including a request for transfer or certiorari) has not elapsed.

(B) An appeal is pending.

(C) An appellate court is considering a request for transfer or certiorari."

Renumber all SECTIONS consecutively.

(Reference is to SB 27 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 36, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 54, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 56, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 57, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 111, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 113, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

- Page 1, delete line 8.
- Page 1, line 9, reset in roman "(C)".
- Page 1, line 9, delete "(D)".
- Page 1, line 10, reset in roman "(D)".
- Page 1, line 10, delete "(E)".
- Page 1, line 11, reset in roman "(E)".
- Page 1, line 11, delete "(F)".
- Page 1, line 12, delete "(G)" and insert "(F)".
- Page 1, between lines 12 and 13, begin a new line block indented and insert:

"(2) Reading."

- Page 1, line 13, strike "(2)" and insert "(3)".
- Page 1, line 14, strike "(3)" and insert "(4)".
- Page 2, line 4, strike "(4)" and insert "(5)".
- Page 2, line 5, strike "(5)" and insert "(6)".

Page 2, line 6, strike "(6)" and insert "(7)".
 Page 2, line 8, strike "(7)" and insert "(8)".
 Page 2, line 18, delete "language arts".
 (Reference is to SB 113 as introduced.)
 and when so amended that said bill do pass.
 Committee Vote: Yeas 8, Nays 2.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 117, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 153, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:
 A BILL FOR AN ACT concerning pensions.

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE JULY 1, 2014] (a) As used in this SECTION, "commission" refers to the pension management oversight commission established by IC 2-5-12-1.

(b) As used in this SECTION, "PERF" refers to the public employees' retirement fund established by IC 5-10.3-2-1.

(c) As used in this SECTION, "TRF" refers to the Indiana state teachers' retirement fund established by IC 5-10.4-2-1.

(d) The general assembly urges the legislative council to assign to the commission the task of studying the administrative fees and expenses of the PERF and TRF guaranteed funds.

(e) If the commission is assigned the topic described in subsection (d), the commission shall issue to the legislative council a final report containing the commission's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6, not later than November 1, 2014.

(f) This SECTION expires July 1, 2015.

(Reference is to SB 153 as introduced.)
 and when so amended that said bill do pass.
 Committee Vote: Yeas 9, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to

which was referred Senate Bill 160, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 15, after "court" insert "**with one (1) or more new judges**".

Page 1, line 15, after "established" insert "**and one (1) or more new judges may not be added to an existing court**".

Page 1, line 16, after "of the" insert "**new**".

Page 1, line 16, delete "is approved by the" and insert "**and the addition of the new judges to an existing court are**".

Page 2, line 1, delete "commission and".

Page 2, line 5, delete "approved by the commission and".

(Reference is to SB 160 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 161, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 173, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 31, delete "operated by the" and insert "**licensed before July 1, 2014;**".

Page 2, delete lines 32 through 33.

Page 5, line 11, delete "7" and insert "**5**".

Page 6, after line 15, begin a new paragraph and insert:

"SECTION 13. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 173 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 4.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 209, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 220, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 5, after line 27, begin a new paragraph and insert:

"SECTION 2. IC 27-4-1-4, AS AMENDED BY P.L.278-2013, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) The following are hereby defined as unfair methods of competition and unfair and deceptive acts and practices in the business of insurance:

(1) Making, issuing, circulating, or causing to be made, issued, or circulated, any estimate, illustration, circular, or statement:

(A) misrepresenting the terms of any policy issued or to be issued or the benefits or advantages promised thereby or the dividends or share of the surplus to be received thereon;

(B) making any false or misleading statement as to the dividends or share of surplus previously paid on similar policies;

(C) making any misleading representation or any misrepresentation as to the financial condition of any insurer, or as to the legal reserve system upon which any life insurer operates;

(D) using any name or title of any policy or class of policies misrepresenting the true nature thereof; or

(E) making any misrepresentation to any policyholder insured in any company for the purpose of inducing or tending to induce such policyholder to lapse, forfeit, or surrender the policyholder's insurance.

(2) Making, publishing, disseminating, circulating, or placing before the public, or causing, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in a newspaper, magazine, or other publication, or in the form of a notice, circular, pamphlet, letter, or poster, or over any radio or television station, or in any other way, an advertisement, announcement, or statement containing any assertion, representation, or statement with respect to any person in the conduct of the person's insurance business, which is untrue, deceptive, or misleading.

(3) Making, publishing, disseminating, or circulating, directly or indirectly, or aiding, abetting, or encouraging the making, publishing, disseminating, or circulating of any oral or written statement or any pamphlet, circular, article, or literature which is false, or maliciously critical of or derogatory to the financial condition of an insurer, and which is calculated to injure any person engaged in the business of insurance.

(4) Entering into any agreement to commit, or individually or by a concerted action committing any act of boycott, coercion, or intimidation resulting or tending to result in

unreasonable restraint of, or a monopoly in, the business of insurance.

(5) Filing with any supervisory or other public official, or making, publishing, disseminating, circulating, or delivering to any person, or placing before the public, or causing directly or indirectly, to be made, published, disseminated, circulated, delivered to any person, or placed before the public, any false statement of financial condition of an insurer with intent to deceive. Making any false entry in any book, report, or statement of any insurer with intent to deceive any agent or examiner lawfully appointed to examine into its condition or into any of its affairs, or any public official to which such insurer is required by law to report, or which has authority by law to examine into its condition or into any of its affairs, or, with like intent, willfully omitting to make a true entry of any material fact pertaining to the business of such insurer in any book, report, or statement of such insurer.

(6) Issuing or delivering or permitting agents, officers, or employees to issue or deliver, agency company stock or other capital stock, or benefit certificates or shares in any common law corporation, or securities or any special or advisory board contracts or other contracts of any kind promising returns and profits as an inducement to insurance.

(7) Making or permitting any of the following:

(A) Unfair discrimination between individuals of the same class and equal expectation of life in the rates or assessments charged for any contract of life insurance or of life annuity or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of such contract. However, in determining the class, consideration may be given to the nature of the risk, plan of insurance, the actual or expected expense of conducting the business, or any other relevant factor.

(B) Unfair discrimination between individuals of the same class involving essentially the same hazards in the amount of premium, policy fees, assessments, or rates charged or made for any policy or contract of accident or health insurance or in the benefits payable thereunder, or in any of the terms or conditions of such contract, or in any other manner whatever. However, in determining the class, consideration may be given to the nature of the risk, the plan of insurance, the actual or expected expense of conducting the business, or any other relevant factor.

(C) Excessive or inadequate charges for premiums, policy fees, assessments, or rates, or making or permitting any unfair discrimination between persons of the same class involving essentially the same hazards, in the amount of premiums, policy fees, assessments, or rates charged or made for:

- (i) policies or contracts of reinsurance or joint reinsurance, or abstract and title insurance;
- (ii) policies or contracts of insurance against loss or damage to aircraft, or against liability arising out of the ownership, maintenance, or use of any aircraft, or

of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured under marine, as distinguished from inland marine, insurance; or

(iii) policies or contracts of any other kind or kinds of insurance whatsoever.

However, nothing contained in clause (C) shall be construed to apply to any of the kinds of insurance referred to in clauses (A) and (B) nor to reinsurance in relation to such kinds of insurance. Nothing in clause (A), (B), or (C) shall be construed as making or permitting any excessive, inadequate, or unfairly discriminatory charge or rate or any charge or rate determined by the department or commissioner to meet the requirements of any other insurance rate regulatory law of this state.

(8) Except as otherwise expressly provided by law, knowingly permitting or offering to make or making any contract or policy of insurance of any kind or kinds whatsoever, including but not in limitation, life annuities, or agreement as to such contract or policy other than as plainly expressed in such contract or policy issued thereon, or paying or allowing, or giving or offering to pay, allow, or give, directly or indirectly, as inducement to such insurance, or annuity, any rebate of premiums payable on the contract, or any special favor or advantage in the dividends, savings, or other benefits thereon, or any valuable consideration or inducement whatever not specified in the contract or policy; or giving, or selling, or purchasing or offering to give, sell, or purchase as inducement to such insurance or annuity or in connection therewith, any stocks, bonds, or other securities of any insurance company or other corporation, association, limited liability company, or partnership, or any dividends, savings, or profits accrued thereon, or anything of value whatsoever not specified in the contract. Nothing in this subdivision and subdivision (7) shall be construed as including within the definition of discrimination or rebates any of the following practices:

(A) Paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from nonparticipating insurance, so long as any such bonuses or abatement of premiums are fair and equitable to policyholders and for the best interests of the company and its policyholders.

(B) In the case of life insurance policies issued on the industrial debit plan, making allowance to policyholders who have continuously for a specified period made premium payments directly to an office of the insurer in an amount which fairly represents the saving in collection expense.

(C) Readjustment of the rate of premium for a group insurance policy based on the loss or expense experience thereunder, at the end of the first year or of any subsequent year of insurance thereunder, which may be made retroactive only for such policy year.

(D) Paying by an insurer or insurance producer thereof duly licensed as such under the laws of this state of

money, commission, or brokerage, or giving or allowing by an insurer or such licensed insurance producer thereof anything of value, for or on account of the solicitation or negotiation of policies or other contracts of any kind or kinds, to a broker, an insurance producer, or a solicitor duly licensed under the laws of this state, but such broker, insurance producer, or solicitor receiving such consideration shall not pay, give, or allow credit for such consideration as received in whole or in part, directly or indirectly, to the insured by way of rebate.

(9) Requiring, as a condition precedent to loaning money upon the security of a mortgage upon real property, that the owner of the property to whom the money is to be loaned negotiate any policy of insurance covering such real property through a particular insurance producer or broker or brokers. However, this subdivision shall not prevent the exercise by any lender of the lender's right to approve or disapprove of the insurance company selected by the borrower to underwrite the insurance.

(10) Entering into any contract, combination in the form of a trust or otherwise, or conspiracy in restraint of commerce in the business of insurance.

(11) Monopolizing or attempting to monopolize or combining or conspiring with any other person or persons to monopolize any part of commerce in the business of insurance. However, participation as a member, director, or officer in the activities of any nonprofit organization of insurance producers or other workers in the insurance business shall not be interpreted, in itself, to constitute a combination in restraint of trade or as combining to create a monopoly as provided in this subdivision and subdivision (10). The enumeration in this chapter of specific unfair methods of competition and unfair or deceptive acts and practices in the business of insurance is not exclusive or restrictive or intended to limit the powers of the commissioner or department or of any court of review under section 8 of this chapter.

(12) Requiring as a condition precedent to the sale of real or personal property under any contract of sale, conditional sales contract, or other similar instrument or upon the security of a chattel mortgage, that the buyer of such property negotiate any policy of insurance covering such property through a particular insurance company, insurance producer, or broker or brokers. However, this subdivision shall not prevent the exercise by any seller of such property or the one making a loan thereon of the right to approve or disapprove of the insurance company selected by the buyer to underwrite the insurance.

(13) Issuing, offering, or participating in a plan to issue or offer, any policy or certificate of insurance of any kind or character as an inducement to the purchase of any property, real, personal, or mixed, or services of any kind, where a charge to the insured is not made for and on account of such policy or certificate of insurance. However, this subdivision shall not apply to any of the following:

(A) Insurance issued to credit unions or members of

credit unions in connection with the purchase of shares in such credit unions.

(B) Insurance employed as a means of guaranteeing the performance of goods and designed to benefit the purchasers or users of such goods.

(C) Title insurance.

(D) Insurance written in connection with an indebtedness and intended as a means of repaying such indebtedness in the event of the death or disability of the insured.

(E) Insurance provided by or through motorists service clubs or associations.

(F) Insurance that is provided to the purchaser or holder of an air transportation ticket and that:

(i) insures against death or nonfatal injury that occurs during the flight to which the ticket relates;

(ii) insures against personal injury or property damage that occurs during travel to or from the airport in a common carrier immediately before or after the flight;

(iii) insures against baggage loss during the flight to which the ticket relates; or

(iv) insures against a flight cancellation to which the ticket relates.

(14) Refusing, because of the for-profit status of a hospital or medical facility, to make payments otherwise required to be made under a contract or policy of insurance for charges incurred by an insured in such a for-profit hospital or other for-profit medical facility licensed by the state department of health.

(15) Refusing to insure an individual, refusing to continue to issue insurance to an individual, limiting the amount, extent, or kind of coverage available to an individual, or charging an individual a different rate for the same coverage, solely because of that individual's blindness or partial blindness, except where the refusal, limitation, or rate differential is based on sound actuarial principles or is related to actual or reasonably anticipated experience.

(16) Committing or performing, with such frequency as to indicate a general practice, unfair claim settlement practices (as defined in section 4.5 of this chapter).

(17) Between policy renewal dates, unilaterally canceling an individual's coverage under an individual or group health insurance policy solely because of the individual's medical or physical condition.

(18) Using a policy form or rider that would permit a cancellation of coverage as described in subdivision (17).

(19) Violating IC 27-1-22-25, IC 27-1-22-26, or IC 27-1-22-26.1 concerning motor vehicle insurance rates.

(20) Violating IC 27-8-21-2 concerning advertisements referring to interest rate guarantees.

(21) Violating IC 27-8-24.3 concerning insurance and health plan coverage for victims of abuse.

(22) Violating IC 27-8-26 concerning genetic screening or testing.

(23) Violating IC 27-1-15.6-3(b) concerning licensure of insurance producers.

(24) Violating IC 27-1-38 concerning depository institutions.

(25) Violating IC 27-8-28-17(c) or IC 27-13-10-8(c) concerning the resolution of an appealed grievance decision.

(26) Violating IC 27-8-5-2.5(e) through IC 27-8-5-2.5(j) (expired July 1, 2007, and removed) or IC 27-8-5-19.2 (expired July 1, 2007, and repealed).

(27) Violating IC 27-2-21 concerning use of credit information.

(28) Violating IC 27-4-9-3 concerning recommendations to consumers.

(29) Engaging in dishonest or predatory insurance practices in marketing or sales of insurance to members of the United States Armed Forces as:

(A) described in the federal Military Personnel Financial Services Protection Act, P.L.109-290; or

(B) defined in rules adopted under subsection (b).

(30) Violating IC 27-8-19.8-20.1 concerning stranger originated life insurance.

(31) Violating IC 27-2-22 concerning retained asset accounts.

(32) Violating IC 27-8-5-29 concerning health plans offered through a health benefit exchange (as defined in IC 27-19-2-8).

(33) Violating a requirement of the federal Patient Protection and Affordable Care Act (P.L. 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (P.L. 111-152), that is enforceable by the state.

(34) After June 30, 2015, violating IC 27-2-23 concerning unclaimed life insurance, annuity, or retained asset account benefits.

(b) Except with respect to federal insurance programs under Subchapter III of Chapter 19 of Title 38 of the United States Code, the commissioner may, consistent with the federal Military Personnel Financial Services Protection Act (P.L.109-290), adopt rules under IC 4-22-2 to:

(1) define; and

(2) while the members are on a United States military installation or elsewhere in Indiana, protect members of the United States Armed Forces from;

dishonest or predatory insurance practices.".

(Reference is to SB 220 as introduced.) and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

PAUL, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 245, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 13, delete "physician licensed under IC 25-22.5 or a registered nurse".

Page 2, line 14, delete "licensed under IC 25-23," and insert **"health care provider who is licensed or certified in Indiana, for whom the administration of auto-injectable epinephrine is within the health care provider's scope of practice, who has received training in the administration of auto-injectable epinephrine, and"**.

Page 2, line 30, after "with" insert **"the manufacturer's guidelines and with"**.

(Reference is to SB 245 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 246, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 248, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 14, delete "September 1, 2014," and insert **"September 1, 2015,"**.

Page 2, line 32, delete "December 31, 2014." and insert **"December 31, 2015."**

(Reference is to SB 248 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 260, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 266, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 273, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The committee appointed to act with a like committee of the House of Representatives to wait upon the Governor and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly begs leave to report that it has performed the duties assigned to it.

PATRICIA MILLER, Chair
BANKS
HUME
RANDOLPH
Committee of the Senate

Report adopted.

COMMITTEE REPORT

Madam President: The committee appointed to act with a like committee of the House of Representatives to wait upon the Chief Justice and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly begs leave to report that it has performed the duties assigned to it.

HOLDMAN, Chair
BRAY
BRODEN
TALLIAN
Committee of the Senate

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bill 1008 and the same is herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE BILLS ON SECOND READING

Senate Bill 4

Senator Steele called up Senate Bill 4 for second reading. The bill was read a second time by title. There being no amendments,

the bill was ordered engrossed.

Senate Bill 31

Senator Tomes called up Senate Bill 31 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 68

Senator Banks called up Senate Bill 68 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 135

Senator Eckerty called up Senate Bill 135 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 179

Senator Banks called up Senate Bill 179 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 179-2)

Madam President: I move that Senate Bill 179 be amended to read as follows:

Page 3, line 41, delete "eggs to a restaurant or" and insert "eggs:

(1) to:

(A) a restaurant; or

(B) a grocery store; or

(2) at:

(A) a farmer's market; or

(B) a roadside stand;".

Page 3, line 42, delete "grocery store".

(Reference is to SB 179 as printed January 15, 2014.)

BANKS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 186

Senator Yoder called up Senate Bill 186 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 249

Senator Buck called up Senate Bill 249 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 19

Senator Steele called up Engrossed Senate Bill 19 for third reading:

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

coauthor of Senate Bill 102.

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

Motion prevailed.

PAUL

Roll Call 15: yeas 42, 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 Steuerwald and McMillin.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 51.

PATRICIA MILLER

Motion prevailed.

Engrossed Senate Bill 44

Senator Breaux called up Engrossed Senate Bill 44 for third reading:

SENATE MOTION

Madam President: I move that Senators Hume, Randolph, and Broden be added as coauthors of Senate Bill 56.

PAUL

A BILL FOR AN ACT concerning health.

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

Motion prevailed.

Roll Call 16: yeas 43, 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 Bartlett.

SENATE MOTION

Madam President: I move that Senator Skinner be added as coauthor of Senate Bill 167.

LEISING

MESSAGE FROM THE HOUSE

Motion prevailed.

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1041 and 1057 and the same are herewith transmitted to the Senate for further action.

SENATE MOTION

Madam President: I move that Senator Becker be added as second author of Senate Bill 248.

CRIDER

M. CAROLINE SPOTTS
Principal Clerk of the House

Motion prevailed.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted the following motion:

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 235.

M. YOUNG

"I move that a committee of four members of this House be appointed by the Speaker to act with a like committee of the Senate to wait upon the Chief Justice of the Supreme Court of the State of Indiana and escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly."

Motion prevailed.

The Speaker appointed Representatives Cox, Torr, DeLaney, and V. Smith.

SENATE MOTION

Madam President: I move that Senator R. Young be added as coauthor of Senate Bill 101.

HOLDMAN

M. CAROLINE SPOTTS
Principal Clerk of the House

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be removed as author of Senate Bill 393 and that Senator Waterman be substituted therefor.

SENATE MOTION

Madam President: I move that Senators Steele, Stoops, Tallian, and Waterman be added as coauthors of Senate Bill 357.

TOMES

R. YOUNG

Motion prevailed.

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Engrossed Senate Bill 44.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 207.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as coauthor of Senate Bill 49.

TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as coauthor of Senate Bill 174.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second author of Senate Bill 169.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as coauthor of Senate Bill 174.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Banks be added as second author of Senate Bill 260.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as second author, Senator Hershman be added as third author, and Senator Skinner be added as coauthor of Senate Bill 249.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as third author and Senator Smith be added as coauthor of Senate Bill 1.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as second author and Senator Tallian be added as third author of Senate Bill 266.

SCHNEIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second author of Senate Bill 262.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Walker be added as second author of Senate Bill 220.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hume be added as coauthor of Engrossed Senate Bill 135.

ECKERTY

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, January 21, 2014.

HERSHMAN

Motion prevailed.

The Senate adjourned at 2:02 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUE ELLSPERMANN
President of the Senate