



# Journal of the Senate

State of Indiana

119th General Assembly

First Regular Session

Seventeenth Meeting Day

Monday Afternoon

February 9, 2015

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

Prayer was offered by Senator Travis L. Holdman.

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

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

Alting	Leising
Arnold	Long
Banks, A. ▣	Merritt
Bassler	Messmer
Becker	Miller, Patricia
Boots	Miller, Pete
Bray	Mishler
Breaux	Mrvan
Broden	Niemeyer
Brown	Perfect
Buck	Raatz
Charbonneau	Randolph
Crider	Rogers
Delph	Schneider
Eckerty	Smith
Ford	Steele
Glick	Stoops
Grooms	Tallian
Head	Taylor
Hershman	Tomes
Holdman	Walker
Houchin	Waltz
Kenley	Yoder
Kruse	Young, M.
Lanane	Zakas

Roll Call 100: present 49; excused 1. [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.

## REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 539 which is eligible for second reading, be reassigned to the Committee on Tax & Fiscal Policy.

LONG

Report adopted.

## REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that, on January 26, 2015 the Senate Committee on Ethics recommended that Senator Delph be excused from voting on Senate Bill 55.

LONG

Report adopted.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 172, 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 lines 1 through 14.

Page 1, line 15, delete "Sec. 2.", begin a new paragraph and insert:

"SECTION 1. IC 32-18-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) As used in this chapter, "asset" means property of a debtor:

(b) The term does not include any of the following:

(1) Property; to the extent the property is encumbered by a valid lien.

(2) Property; to the extent the property is generally exempt under law other than federal bankruptcy law.

(3) An interest in property held in tenancy by the entireties to the extent the interest is not subject to process by a creditor holding a claim against only one (1) tenant."

Page 1, line 15, beginning with "The" begin a new line blocked left.

Page 4, line 1, after "estate," insert "partnership,".

Page 4, delete lines 28 through 42, begin a new paragraph and insert:

"SECTION 2. IC 32-18-2-3 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 3: As used in this chapter, "claim" means a right to payment; whether the right is:

(1) reduced to judgment or not;

(2) liquidated or unliquidated;

(3) fixed or contingent;

(4) matured or unmatured;

(5) disputed or undisputed;

(6) legal or not;

(7) equitable or not; or

(8) secured or unsecured.

SECTION 3. IC 32-18-2-4 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 4: As used in this chapter, "creditor" means a person who has a claim.

SECTION 4. IC 32-18-2-5 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 5: As used in this chapter, "debt" means liability on a claim.

SECTION 5. IC 32-18-2-6 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 6: As used in this chapter, "debtor" means a person who is liable on a claim.

SECTION 6. IC 32-18-2-7 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 7: (a) As used in this chapter, "lien" means a charge against or an interest in property to secure payment of a debt or performance of an obligation.

(b) The term includes any of the following:

(1) A security interest created by agreement.

(2) A judicial lien obtained by legal or equitable process or proceedings.

(3) A common law lien.

(4) A statutory lien.

SECTION 7. IC 32-18-2-8 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 8: As used in this chapter, "person" means an individual; a partnership; a corporation; a limited liability company; an association; an organization; a government; a governmental subdivision or agency; a business trust; an estate; a trust; or any other legal or commercial entity.

SECTION 8. IC 32-18-2-9 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 9: As used in this chapter, "property" means anything that can be the subject of ownership.

SECTION 9. IC 32-18-2-10 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 10: (a) As used in this chapter, "transfer" means any mode of disposing of or parting with an asset or an interest in an asset, whether the mode is direct or indirect, absolute or conditional, or voluntary or involuntary.

(b) The term includes payment of money; release; lease; and creation of a lien or other encumbrance.

SECTION 10. IC 32-18-2-11 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 11: As used in this chapter, "valid lien" means a lien that is effective against the holder of a judicial lien subsequently obtained by legal or equitable process or proceedings.

SECTION 11. IC 32-18-2-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 12. (a) For purposes of this section, assets do not include property that has been:

(1) transferred, concealed, or removed with intent to hinder, delay, or defraud creditors; or

(2) transferred in a manner making the transfer voidable under this chapter.

(b) For purposes of this section, debts do not include an obligation to the extent it is secured by a valid lien on property of the debtor not included as an asset under this section.

(c) A debtor is insolvent if, **at a fair valuation**, the sum of the debtor's debts is greater than ~~at~~ **the sum** of the debtor's assets. ~~at a fair valuation.~~

(d) A debtor ~~who~~ **that** is generally not paying the debtor's debts as they become due, **other than as a result of a bona fide dispute**, is presumed to be insolvent. This presumption imposes upon the party against ~~whom~~ **which** the presumption is directed the burden of proving that the nonexistence of insolvency is more probable than its existence.

(e) A partnership is insolvent if the sum of the partnership's debts is greater than the aggregate, at a fair valuation, of all of the partnership's assets and the sum of the excess of the value of each general partner's nonpartnership assets over each general partner's nonpartnership debts."

Delete pages 5 through 8, begin a new paragraph and insert:

"SECTION 12. IC 32-18-2-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 14. (a) A transfer made or an obligation incurred by a debtor is **fraudulent voidable** as to a creditor, whether the creditor's claim arose before or after the transfer was made or the obligation was incurred, if the debtor made the transfer or incurred the obligation:

(1) with actual intent to hinder, delay, or defraud any creditor of the debtor; or

(2) without receiving a reasonably equivalent value in exchange for the transfer or obligation, and the debtor:

(A) was engaged or was about to engage in a business or a transaction for which the remaining assets of the debtor were unreasonably small in relation to the business or transaction; or

(B) intended to incur or believed or reasonably should have believed that the debtor would incur debts beyond the debtor's ability to pay as the debts became due.

(b) **In determining actual intent under subsection (a)(1), consideration may be given, among other factors, to whether:**

**(1) the transfer or obligation was to an insider;**

**(2) the debtor retained possession or control of the property transferred after the transfer;**

**(3) the transfer or obligation was disclosed or concealed;**

**(4) before the transfer was made or obligation was incurred, the debtor had been sued or threatened with suit;**

**(5) the transfer was of substantially all the debtor's assets;**

**(6) the debtor absconded;**

**(7) the debtor removed or concealed assets;**

**(8) the value of the consideration received by the debtor was reasonably equivalent to the value of the asset transferred or the amount of the obligation incurred;**

**(9) the debtor was insolvent or became insolvent shortly after the transfer was made or the obligation was incurred;**

**(10) the transfer occurred shortly before or shortly after a substantial debt was incurred; and**

**(11) the debtor transferred the essential assets of the business to a lienor that transferred the assets to an insider of the debtor.**

(c) **A creditor making a claim for relief under this section has the burden of proving the elements of the claim for relief by a preponderance of the evidence.**

SECTION 13. IC 32-18-2-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 15. (a) A transfer made or an obligation incurred by a debtor is **fraudulent voidable** as to a creditor whose claim arose before the transfer was made or the obligation was incurred if:

- (1) the debtor made the transfer or incurred the obligation without receiving a reasonably equivalent value in exchange for the transfer or obligation; and
- (2) the debtor:
  - (A) was insolvent at that time; or
  - (B) became insolvent as a result of the transfer or obligation.

**(b) A transfer made by a debtor is voidable as to a creditor whose claim arose before the transfer was made if the transfer was made to an insider for an antecedent debt, the debtor was insolvent at that time, and the insider had reasonable cause to believe that the debtor was insolvent.**

**(c) Subject to section 12(d) of this chapter, a creditor making a claim for relief under this section has the burden of proving the elements of the claim for relief by a preponderance of the evidence.**

SECTION 14. IC 32-18-2-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 16. The following apply for purposes of this chapter:

- (1) A transfer is made:
  - (A) with respect to an asset that is real property other than a fixture (but including the interest of a seller or purchaser under a contract for the sale of the asset), when the transfer is so far perfected that a good faith purchaser of the asset from the debtor against whom applicable law permits the transfer to be perfected cannot acquire an interest in the asset that is superior to the interest of the transferee; and
  - (B) with respect to an asset that is not real property or that is a fixture, when the transfer is so far perfected that a creditor on a simple contract cannot acquire a judicial lien (other than under this chapter) that is superior to the interest of the transferee.
- (2) If applicable law permits a transfer to be perfected under subdivision (1) and the transfer is not so perfected before the commencement of an action for relief under this chapter, the transfer is considered made immediately before the commencement of the action.
- (3) If applicable law does not permit a transfer to be perfected under subdivision (1), the transfer is made when it becomes effective between the debtor and the transferee.
- (4) A transfer is not made until the debtor has acquired rights in the asset transferred.
- (5) An obligation is incurred:
  - (A) if oral, when it becomes effective between the parties; or
  - (B) if evidenced by a ~~writing~~, **record**, when the ~~writing executed record signed~~ by the obligor is delivered to or for the benefit of the obligee.

SECTION 15. IC 32-18-2-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 18. (a) A transfer or an obligation is not voidable under section 14(1) of this chapter against a person ~~who that~~ took in good faith and for a reasonably equivalent value **given the debtor** or against any subsequent transferee or obligee.

**(b) To the extent that a transfer is avoidable in an action by a creditor under section 17(a)(1) of this chapter, the following rules apply:**

**(1) Except as otherwise provided in this chapter, ~~to the extent a transfer is voidable in an action by a creditor under section 17(a)(1) of this chapter~~, the creditor may recover judgment for the value of the asset transferred, as adjusted under subsection (c), or the amount necessary to satisfy the creditor's claim, whichever is less. The judgment may be entered against:**

- ~~(1)~~ **(A)** the first transferee of the asset or the person for whose benefit the transfer was made; or
- ~~(2)~~ **(B)** any subsequent transferee other than an immediate or mediate transferee of the first transferee, other than:
  - (i) a good faith transferee ~~who that~~ took for value; or
  - (ii) from any subsequent transferee: **an immediate or mediate good faith transferee of a person described in item (i).**

**(2) Recovery under section 17(a)(1) or 17 (a)(2) of or from the asset transferred or its proceeds, by levy or otherwise, is available only against a person described in subdivision (1).**

(c) If the judgment under subsection (b) is based upon the value of the asset transferred, the judgment must be for an amount equal to the value of the asset at the time of the transfer, subject to adjustment as the equities may require.

(d) Notwithstanding voidability of a transfer or an obligation under this chapter, a good faith transferee or obligee is entitled, to the extent of the value given the debtor for the transfer or obligation, to:

- (1) a lien on or a right to retain ~~any an~~ interest in the asset transferred;
- (2) enforcement of ~~any an~~ obligation incurred; or
- (3) a reduction in the amount of the liability on the judgment.

(e) A transfer is not voidable under section 14(2) or section 15 of this chapter if the transfer results from:

- (1) termination of a lease upon default by the debtor when the termination is permitted by the lease and applicable law; or
- (2) enforcement of a security interest in compliance with Article 9 of the Uniform Commercial Code, **other than acceptance of collateral in full or partial satisfaction of the obligation it secures.**

**(f) A transfer is not voidable under section 15(a)(2) of this chapter:**

- (1) to the extent the insider gave new value to or for the benefit of the debtor after the transfer was made, except to the extent the new value was secured by a valid lien;**
- (2) if made in the ordinary course of business or financial affairs of the debtor and the insider; or**
- (3) if made under a good faith effort to rehabilitate the debtor and the transfer secured present value given for that purpose as well as an antecedent debt of the debtor.**

**(g) The following rules determine the burden of proving matters referred to in this section:**

- (1) A party that seeks to invoke subsection (a), (d), (e), or (f) has the burden of proving the applicability of that**

subsection.

(2) Except as otherwise provided in subdivisions (3) and (4), the creditor has the burden of proving each applicable element of subsection (b) or (c).

(3) The transferee has the burden of proving the applicability to the transferee of subsection (b)(1)(A).

(4) A party that seeks adjustment under subsection (c) has the burden of proving the adjustment.

(h) The standard of proof required to establish matters referred to in this section is preponderance of the evidence.

SECTION 16. IC 32-18-2-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 19. A ~~cause of action claim for relief~~ with respect to a ~~fraudulent~~ transfer or obligation under this chapter is extinguished unless brought as follows:

(1) If brought under section 14(1) of this chapter, an action is extinguished unless brought not later than the later of the following:

(A) Four (4) years after the transfer was made or the obligation was incurred.

(B) One (1) year after the transfer or obligation was or could reasonably have been discovered by the claimant.

(2) If brought under section 14(2) or 15(1) of this chapter, an action is extinguished unless it is brought not later than four (4) years after the transfer was made or the obligation was incurred."

Page 9, delete lines 1 through 34.

Page 9, line 35, delete "Sec. 11.", begin a new paragraph and insert:

"SECTION 17. IC 32-18-2-19.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 19.3.**"

Page 10, line 5, delete "Sec. 12.", begin a new paragraph and insert:

"SECTION 18. IC 32-18-2-19.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 19.5.**"

Page 10, delete lines 35 through 42.

Page 11, line 1, delete "Sec. 15.", begin a new paragraph and insert:

"SECTION 21. IC 32-18-2-22 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 22.**"

Renumber all SECTIONS consecutively.

(Reference is to SB 172 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

ZAKAS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 373, 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 lines 5 and 6, begin a new paragraph and insert:

"SECTION 2. IC 24-4.5-1-202, AS AMENDED BY P.L.27-2012, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 202. (a) As used in this section, "balloon payment", with respect to a mortgage transaction, means any payment that:

(1) the creditor requires the debtor to make at any time during the term of the mortgage;

(2) represents the entire amount of the outstanding balance with respect to the mortgage; and

(3) the entire amount of which is due as of a specified date or at the end of a specified period;

if the aggregate amount of the minimum periodic payments required under the mortgage would not fully amortize the outstanding balance by the specified date or at the end of the specified period. The term does not include a payment required by a creditor under a due-on-sale clause (as defined in 12 U.S.C. 1701j-3(a)) or a payment required by a creditor under a provision in the mortgage that permits the creditor to accelerate the debt upon the debtor's default or failure to abide by the material terms of the mortgage.

(b) This article does not apply to the following:

(1) Extensions of credit to government or governmental agencies or instrumentalities.

(2) The sale of insurance by an insurer, except as otherwise provided in the chapter on insurance (IC 24-4.5-4).

(3) Transactions under public utility, municipal utility, or common carrier tariffs if a subdivision or agency of this state or of the United States regulates the charges for the services involved, the charges for delayed payment, and any discount allowed for early payment.

(4) The rates and charges and the disclosure of rates and charges of a licensed pawnbroker established in accordance with a statute or ordinance concerning these matters.

(5) A sale of goods, services, or an interest in land in which the goods, services, or interest in land are purchased primarily for a purpose other than a personal, family, or household purpose.

(6) A loan in which the debt is incurred primarily for a purpose other than a personal, family, or household purpose.

(7) An extension of credit primarily for a business, a commercial, or an agricultural purpose.

(8) An installment agreement for the purchase of home fuels in which a finance charge is not imposed.

(9) Loans made, insured, or guaranteed under a program authorized by Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(10) Transactions in securities or commodities accounts in which credit is extended by a broker-dealer registered with the Securities and Exchange Commission or the Commodity Futures Trading Commission.

(11) Except for IC 24-4.5-3-502.1(2), IC 24-4.5-3-503.3, IC 24-4.5-3-505(4), and IC 24-4.5-3-505(5), a loan made:

(A) in compliance with the requirements of; and

(B) by a community development corporation (as defined in IC 4-4-28-2) acting as a subrecipient of funds from;

the Indiana housing and community development authority established by IC 5-20-1-3.

(12) Except for IC 24-4.5-3-502.1(2), IC 24-4.5-3-503.3, IC 24-4.5-3-505(4), and IC 24-4.5-3-505(5), a subordinate lien mortgage transaction made by an entity that exclusively uses funds provided by the United States Department of Housing and Urban Development under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended (42 U.S.C. 5301 et seq.).

(13) The United States, any state or local government, or any agency or instrumentality of any governmental entity, including United States government sponsored enterprises.

(14) A bona fide nonprofit organization not operating in a commercial context, as determined by the director, if the following criteria are satisfied:

(A) Subject to clause (B), the organization originates only one (1) or both of the following types of mortgage transactions:

- (i) Zero (0) interest first lien mortgage transactions.
- (ii) Zero (0) interest subordinate lien mortgage transactions.

(B) The organization does not require, under the terms of the mortgage or otherwise, balloon payments with respect to the mortgage transactions described in clause (A).

(C) The organization is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(D) The organization's primary purpose is to serve the public by helping low income individuals and families build, repair, and purchase housing.

(E) The organization uses only:

- (i) unpaid volunteers; or
- (ii) employees whose compensation is not based on the number or size of any mortgage transactions that the employees originate;

to originate the mortgage transactions described in clause (A).

(F) The organization does not charge loan origination fees in connection with the mortgage transactions described in clause (A).

(15) A bona fide nonprofit organization (as defined in section 301.5(45) of this chapter) if the following criteria are satisfied:

(a) For each calendar year that the organization seeks the exemption provided by this subdivision, the organization certifies, not later than December 31 of the preceding calendar year and on a form prescribed by the director and accompanied by such documentation as required by the director, that the organization is a bona fide nonprofit organization (as defined in section 301.5(45) of this chapter).

(b) The director determines that the organization originates only mortgage transactions that are favorable to the debtor. For purposes of this clause, a mortgage transaction is favorable to the debtor if the director determines that the terms of the mortgage transaction are consistent with terms of mortgage transactions made in a public or charitable context, rather than in a commercial context.

**(16) Civil justice funding (as defined in IC 24-11-1-1(3)) or a civil justice funding company (as defined in IC 24-11-1-1(4))."**

Page 1, delete lines 6 through 16.

Page 2, delete lines 1 through 19.

Renumber all SECTIONS consecutively.

(Reference is to SB 373 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

ZAKAS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Family & Children Services, to which was referred Senate Bill 564, 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 family law and juvenile 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, "study committee" means an interim study committee established by IC 2-5-1.3-4.**

**(b) The general assembly urges the legislative council to assign to an appropriate study committee the topic of the status of marriage in Indiana.**

**(c) If the legislative council assigns the topic described in subsection (b), the study committee:**

**(1) may consider:**

**(A) the appropriate waiting period for the dissolution of marriage;**

**(B) ways to reduce Indiana's divorce rate; and**

**(C) use of premarital counseling as a way to avoid dissolution of marriage; and**

**(2) shall seek testimony from experts on marriage and divorce.**

**(d) This SECTION expires December 31, 2015."**

Page 2, delete lines 1 through 21, begin a new paragraph and insert:

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

(Reference is to SB 564 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 1.

GROOMS, Chair

Report adopted.

## COMMITTEE REPORT

Madam President: The Senate Committee on Family & Children Services, 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 and be reassigned to the Senate Committee on Appropriations. Committee Vote: Yeas 8, Nays 0.

GROOMS, Chair

Report adopted.

## COMMITTEE REPORT

Madam President: The Senate Committee on Family & Children Services, to which was referred Senate Bill 504, 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 and reassigned to the Senate Committee on Appropriations. Committee Vote: Yeas 8, Nays 0.

GROOMS, Chair

Report adopted.

## COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Senate Bill 309, 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 2.

MERRITT, Chair

Report adopted.

**RESOLUTIONS ON FIRST READING****Senate Concurrent Resolution 12**

Senate Concurrent Resolution 12, introduced by Senators Grooms and Smith:

A CONCURRENT RESOLUTION congratulating the Providence High School volleyball team on its victory in the 2014 IHSAA Class 2A volleyball championship.

*Whereas, On November 8, 2014, in the IHSAA Class 2A volleyball championship, the Providence High School volleyball team defeated Southwood High School 3-0;*

*Whereas, The win marks the second consecutive state championship in volleyball for Providence High School, the Pioneers having claimed their first Class 2A state title in 2013;*

*Whereas, Jacqueline Hornung led all players with 11 kills, Marissa Hornung had 10 kills, Taylor Wilson had 9 kills, and Patricia Mattingly assisted in 39 of these kills;*

*Whereas, At the conclusion of the state finals, the IHSAA Executive Committee named Mattingly as the winner of the Class 2A Mental Attitude Award;*

*Whereas, A four-year starter for the Pioneers, Mattingly has been named to the Indiana Coaches of Girls Sports Association All-State team every year and this season is an Academic All-State member and nominee for the Gatorade Player of the Year;*

*Whereas, Each year the IHSAA Executive Committee selects a senior player, nominated by her principal and coach, who was determined to have best demonstrated mental attitude, scholarship, leadership, and athletic ability;*

*Whereas, The Committee presented the award amount to Providence High School's general scholarship fund in Mattingly's name;*

*Whereas, Mattingly plans to attend the U.S. Naval Academy this fall with a Blue Chip Scholarship where she will study Internet Security and Cyber Warfare; and*

*Whereas, It is fitting that the General Assembly gives special recognition to the young ladies and coaches of the Providence High School volleyball team: 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 Indiana General Assembly congratulates the Providence High School volleyball team on its second consecutive IHSAA Class 2A championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the Providence High School volleyball team: Madelyn Bivens, Carlie Combs, Haley Libs, Patricia Mattingly, Taylor Wilson, Amanda Barney, Alyson Bass, Jacqueline Hornung, Audrey Shannon, Claire Shannon, Anna Wingate, Amelia Fougousse, Lexie Libs, Marissa Hornung, Head Coach Terri Purichia; Assistant Coaches: Brandy Denning, Hayley Koetter, Karrie Quenichet, Taylor Gelbach; Managers: Erica Denison, Joseph Bivens, Mari Kate Whitten, and Paul Meyer; Athletic Director Mickey Golembeski; Principal Dr. Mindy Ernstberger; and President Joan Hurley.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Stemler and Clere.

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1080, 1208, 1263, 1335, 1456, 1497, and 1507 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 1045, 1140, 1185, 1286, 1302, 1338, 1340, 1396, 1516, 1531, and 1539 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 House Concurrent Resolutions 16 and 17 and the same are herewith transmitted 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 1108, 1183, 1278, 1341, and 1350 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

## SENATE BILLS ON SECOND READING

## Senate Bill 174

Senator M. Young called up Senate Bill 174 for second reading. The bill was re-read a second time by title.

SENATE MOTION  
(Amendment 174-5)

Madam President: I move that Senate Bill 174 be amended to read as follows:

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

"SECTION 1. IC 35-31.5-2-351.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 351.5. "Violent criminal", for purposes of IC 35-38-1-17, has the meaning set forth in IC 35-38-1-17.**"

Page 1, line 7, delete "However, subsection (i) applies only to a".

Page 1, delete line 8.

Page 1, line 9, delete "a:" and insert "a".

Page 1, line 10, delete "(1)".

Page 1, line 10, delete "felon;" and insert "felon".

Page 1, line 10, delete "or".

Page 1, run in lines 9 through 10.

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

**"(c) As used in this section, "violent criminal" means a person convicted of any of the following offenses:**

**(1) Murder (IC 35-42-1-1).**

**(2) Attempted murder (IC 35-41-5-1).**

**(3) Voluntary manslaughter (IC 35-42-1-3).**

**(4) Involuntary manslaughter (IC 35-42-1-4).**

**(5) Reckless homicide (IC 35-42-1-5).**

**(6) Aggravated battery (IC 35-42-2-1.5).**

**(7) Kidnapping (IC 35-42-3-2).**

**(8) Rape (IC 35-42-4-1).**

**(9) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).**

**(10) Child molesting (IC 35-42-4-3).**

**(11) Sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).**

**(12) Robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1).**

**(13) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1).**

**(14) Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5)."**

Page 1, delete lines 12 through 16.

Page 2, delete lines 1 through 14.

Page 2, line 15, delete "(c)" and insert "(d)".

Page 2, line 15, strike "Not later than three hundred sixty-five (365) days" and insert "**At any time**".

Page 2, line 22, delete "(d)".

Page 2, line 22, strike "If more than three hundred sixty-five (365) days have elapsed".

Page 2, strike lines 23 through 26.

Page 2, line 42, after "(i)" insert "**This subsection applies only to a convicted person who is not a violent criminal.**"

Page 2, line 42, after "person" insert "**who is not a violent criminal**".

Page 3, line 5, delete "incarceration." and insert "incarceration;

**without the consent of the prosecuting attorney.**

**(j) This subsection applies to a convicted person who is a violent criminal. A convicted person who is a violent criminal may file a petition for sentence modification under this section not more than one (1) time without the consent of the prosecuting attorney."**

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

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

**"(l) Notwithstanding subsection (j), a convicted person who committed an offense after June 30, 2014, and before May 15, 2015, may file one (1) petition for sentence modification without the consent of the prosecuting attorney, even if the person has previously filed a petition for sentence modification."**

Renumber all SECTIONS consecutively.

(Reference is to SB 174 as reprinted February 4, 2015.)

M. YOUNG

Motion prevailed. The bill was ordered engrossed.

## Senate Bill 233

Senator Smith 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 2, delete lines 10 through 31.  
(Reference is to SB 233 as printed February 6, 2015.)

STOOPS

The Chair ordered a division of the Senate. Yeas 9, nays 31.

Motion failed. The bill was ordered engrossed.

**Senate Bill 285**

Senator Tomes called up Senate Bill 285 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 285-1)

Madam President: I move that Senate Bill 285 be amended to read as follows:

Page 1, line 2, after "(a)" insert "**For purposes of this section, a "reasonable amount" of stationery, envelopes, and postage means an amount sufficient to transmit at least four (4) pieces of correspondence in a thirty (30) day period.**

(b)".

Page 1, line 7, delete "(b)" and insert "(c)".  
(Reference is to SB 285 as printed February 6, 2015.)

TALLIAN

Motion failed. The bill was ordered engrossed.

**Senate Bill 315**

Senator Smith called up Senate Bill 315 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 315-1)

Madam President: I move that Senate Bill 315 be amended to read as follows:

Page 2, line 20, delete "." and insert "**for:**

- (1) park and recreation purposes; or
- (2) operating a community services facility that provides counseling, emergency assistance, medical care, housing, or temporary residential facilities for individuals who fear family or domestic violence.

**The township may sell or lease the property to an Indiana nonprofit corporation that is exempt from federal income taxation under Section 501 of the Internal Revenue Code, for any of the purposes described in this subsection."**

Page 2, line 22, reset in roman "The deed must state that the township is required to use the".

Page 2, line 23, reset in roman "property for park and recreation".

Page 2, line 23, delete "purposes." and insert "**purposes or for providing community services."**

(Reference is to SB 315 as printed February 6, 2015.)

SMITH

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 316**

Senator Smith called up Senate Bill 316 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 316-2)

Madam President: I move that Senate Bill 316 be amended to read as follows:

Page 1, line 1, delete "The general" and insert "**The Indiana general assembly recognizes the importance of Clark County in the southern Indiana region and to the state. Further, the Indiana general assembly finds that the creation of a local commission under which local leaders can enter into a dialogue and plan Clark County's future and to provide the general assembly with a report of its findings is in the best interest of the state of Indiana."**

Page 1, delete lines 2 through 6.

Page 1, line 8, delete "tax increment financing study commission" and insert "**leadership commission"**.

Page 1, line 10, delete "tax increment financing study commission" and insert "**leadership commission"**.

Page 1, delete lines 13 through 17, begin a new line block indented and insert:

**"(1) One (1) representative from the fiscal body of Clark County and from the fiscal body of each incorporated city and town in the county, from the membership of the fiscal body or as designated by official action of its membership.**

**(2) One (1) representative from each school corporation in Clark County, from its governing board or as designated by its governing body.**

**(3) A representative of the River Ridge Commerce Center governing board, from its membership or as designated by the governing board.**

**(4) A representative of One Southern Indiana as designated by its governing board. The representative of One Southern Indiana shall act as secretary of the commission.**

**(5) The sheriff of Clark County, or the sheriff's designee, who shall provide public safety, jail, and other law enforcement information and recommendations to the commission.**

**(6) A representative from the Clark County Fire Chiefs Association.**

**The governor shall appoint the president of the commission. The appointment of the president of the commission shall be made from the membership of the commission or by appointment of an additional member to the commission as otherwise determined by the governor. The speaker of the house of representatives shall appoint the vice-chair of the commission from the membership of the commission or by appointment of an additional member to the commission as otherwise determined by the speaker. The president pro tempore of the senate shall appoint a legal counsel and a non-voting facilitator for the commission."**

Page 2, delete lines 1 through 10.

Page 2, line 15, delete "," and insert ".".

Page 2, line 15, delete "including a:".



Page 2, delete lines 16 through 24.

Page 2, line 26, after "libraries," insert "**public safety**,".

Page 2, between lines 27 and 28, begin a new line block indented and insert:

**"(3) study the overall tax structure of Clark County, including local ordinances, in order to make recommendations to stabilize the future fiscal circumstances for all Clark County local governmental units;**

**(4) study the public services and infrastructure needs for potential population growth in Clark County as a result of economic development in Clark County;**

**(5) study whether tax increment financing strategies and policies in Clark County need to be changed or modified to support the potential population growth in Clark County;"**.

Page 2, line 28, delete "(3)" and insert "(6)".

Page 2, line 30, delete "(4)" and insert "(7)".

Page 2, line 36, delete "(5)" and insert "(8)".

Page 2, line 38, delete "(6)" and insert "(9)".

Page 3, line 24, after "a" insert "**written**".

Page 3, line 26 after "(e)" insert "**, including a description of work conducted by the commission, a listing of recommended local actions, and requested changes to state statutes (if any),"**.

Page 3, line 26, delete "November" and insert "**December**".

Page 3, line 32, delete "January 1, 2017." and insert "**May 1, 2016.**".

(Reference is to SB 316 as printed January 27, 2015.)

SMITH

Motion prevailed. The bill was ordered engrossed.

### Senate Bill 356

Senator Grooms called up Senate Bill 356 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 356-1)

Madam President: I move that Senate Bill 356 be amended to read as follows:

Page 1, line 5, after "employers," insert "**the local workforce investment board, or both,**".

Page 2, line 4, after "board" insert "**, in consultation with the workforce innovation council,**".

(Reference is to SB 356 as printed February 6, 2015.)

GROOMS

Motion prevailed. The bill was ordered engrossed.

### Senate Bill 363

Senator Broden called up Senate Bill 363 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 363-2)

Madam President: I move that Senate Bill 363 be amended to read as follows:

Page 3, line 5, strike "or".

Page 3, line 10, delete "knowledge." and insert "knowledge;  
or

**(5) it results in the transmission of a dangerous sexually transmitted disease and the person knew or recklessly failed to know that the person was infected with the disease."**

(Reference is to SB 363 as printed February 6, 2015.)

STEELE

Motion prevailed. The bill was ordered engrossed.

### Senate Bill 370

Senator Becker called up Senate Bill 370 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### Senate Bill 382

Senator Hershman called up Senate Bill 382 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 382-1)

Madam President: I move that Senate Bill 382 be amended to read as follows:

Page 2, line 39, after "state" delete ",".

Page 3, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 3. IC 36-8-16.7-45, AS ADDED BY P.L.132-2012, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 45. (a) This section does not apply to **any of the following**:

(1) A person that connects to a 911 network using automatic crash notification technology subject to an established protocol.

(2) **A school corporation, charter school, or nonpublic school (as defined in IC 20-18-2-12) if the school corporation, charter school, or nonpublic school receives permission from the board to use an automatic alarm, automatic dialer, or other automated alerting device.**

(b) A person may not connect to a 911 network an automatic alarm, automatic dialer, or other automated alerting device that:

(1) causes the number 911 to be automatically dialed; or  
(2) provides through a prerecorded message information regarding obtaining 911 emergency service.

(c) A person who knowingly or intentionally violates this section commits a Class A misdemeanor."

Renumber all SECTIONS consecutively.

(Reference is to SB 382 as printed February 6, 2015.)

PETE MILLER

Motion prevailed. The bill was ordered engrossed.

### Senate Bill 406

Senator Merritt called up Senate Bill 406 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 406-1)

Madam President: I move that Senate Bill 406 be amended to read as follows:

Page 3, line 22, delete "of this chapter".

Page 4, after line 13, begin a new paragraph and insert:

"SECTION 6. IC 35-48-7-8.1, AS AMENDED BY P.L.131-2014, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8.1. (a) The board shall provide for a controlled substance prescription monitoring program that includes the following components:

(1) Each time a controlled substance designated by the board under IC 35-48-2-5 through IC 35-48-2-10 is dispensed, the dispenser shall transmit to the INSPECT program the following information:

(A) The controlled substance recipient's name.

(B) The controlled substance recipient's or the recipient representative's identification number or the identification number or phrase designated by the INSPECT program.

(C) The controlled substance recipient's date of birth.

(D) The national drug code number of the controlled substance dispensed.

(E) The date the controlled substance is dispensed.

(F) The quantity of the controlled substance dispensed.

(G) The number of days of supply dispensed.

(H) The dispenser's United States Drug Enforcement Agency registration number.

(I) The prescriber's United States Drug Enforcement Agency registration number.

(J) An indication as to whether the prescription was transmitted to the pharmacist orally or in writing.

(K) Other data required by the board.

(2) The information required to be transmitted under this section must be transmitted as follows:

(A) Before July 1, 2015, not more than seven (7) days after the date on which a controlled substance is dispensed.

(B) Beginning July 1, 2015, and until December 31, 2015, not more than three (3) days after the date on which a controlled substance is dispensed.

(C) Beginning January 1, 2016, and thereafter, not more than twenty-four (24) hours after the date on which a controlled substance is dispensed.

(3) A dispenser shall transmit the information required under this section by:

(A) uploading to the INSPECT web site;

(B) a computer diskette; or

(C) a CD-ROM disk;

that meets specifications prescribed by the board.

(4) The board may require that prescriptions for controlled substances be written on a one (1) part form that cannot be duplicated. However, the board may not apply such a requirement to prescriptions filled at a pharmacy with a Category II permit (as described in IC 25-26-13-17) and operated by a hospital licensed under IC 16-21, or prescriptions ordered for and dispensed to bona fide

enrolled patients in facilities licensed under IC 16-28. The board may not require multiple copy prescription forms for any prescriptions written. The board may not require different prescription forms for any individual drug or group of drugs. Prescription forms required under this subdivision must be approved by the Indiana board of pharmacy established by IC 25-26-13-3.

(5) The costs of the program.

**(6) Each time naloxone is dispensed, the dispenser shall transmit to the INSPECT program the following information:**

**(A) The recipient's name.**

**(B) The recipient's or the recipient representative's identification number or the identification number or phrase designated by the INSPECT program.**

**(C) The recipient's date of birth.**

**(D) The date the naloxone is dispensed.**

**(E) The quantity of naloxone dispensed.**

**(F) The dispenser's United States Drug Enforcement Agency registration number.**

**(G) An indication as to whether the prescription was transmitted to the pharmacist orally or in writing.**

**(H) Other data required by the board.**

(b) This subsection applies only to a retail pharmacy. A pharmacist, pharmacy technician, or person authorized by a pharmacist to dispense a controlled substance may not dispense a controlled substance to a person who is not personally known to the pharmacist, pharmacy technician, or person authorized by a pharmacist to dispense a controlled substance unless the person taking possession of the controlled substance provides documented proof of the person's identification to the pharmacist, pharmacy technician, or person authorized by a pharmacist to dispense a controlled substance.

SECTION 7. IC 35-48-7-10.1, AS AMENDED BY P.L.84-2010, SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10.1. (a) The INSPECT program must do the following:

(1) Create a data base for information required to be transmitted under section 8.1 of this chapter in the form required under rules adopted by the board, including search capability for the following:

(A) A ~~controlled substance~~ recipient's name.

(B) A ~~controlled substance~~ recipient's or recipient representative's identification number.

(C) A ~~controlled substance~~ recipient's date of birth.

(D) The national drug code number of a controlled substance dispensed.

(E) The dates a controlled substance **or naloxone** is dispensed.

(F) The quantities of a controlled substance **or naloxone** dispensed.

(G) The number of days of supply dispensed.

(H) A dispenser's United States Drug Enforcement Agency registration number.

(I) A prescriber's United States Drug Enforcement Agency registration number.

(J) Whether a prescription was transmitted to the pharmacist orally or in writing.

(K) A controlled substance recipient's method of payment for the controlled substance **or naloxone** dispensed.

(2) Provide the board with continuing twenty-four (24) hour a day online access to the data base.

(3) Secure the information collected and the data base maintained against access by unauthorized persons.

(b) The board may execute a contract with a vendor designated by the board to perform any function associated with the administration of the INSPECT program.

(c) The INSPECT program may gather prescription data from the Medicaid retrospective drug utilization review (DUR) program established under IC 12-15-35.

(d) The board may accept and designate grants, public and private financial assistance, and licensure fees to provide funding for the INSPECT program."

Renumber all SECTIONS consecutively.

(Reference is to SB 406 as printed February 6, 2015.)

MERRITT

Motion prevailed.

SENATE MOTION  
(Amendment 406-2)

Madam President: I move that Senate Bill 406 be amended to read as follows:

Page 4, between lines 8 and 9, begin a new paragraph and insert:

**"Sec. 4. After December 31, 2015, each ambulance providing emergency ambulance service and each emergency medical services vehicle must be equipped with an overdose intervention drug."**

(Reference is to SB 406 as printed February 6, 2015.)

MRVAN

Motion prevailed. The bill was ordered engrossed.

### Senate Bill 409

Senator Merritt called up Senate Bill 409 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### Senate Bill 412

Senator Merritt called up Senate Bill 412 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 412-7)

Madam President: I move that Senate Bill 412 be amended to read as follows:

Page 2, line 36, reset in roman "shall".

Page 2, line 36, delete "may".

Page 4, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 3. IC 8-1-8.5-9, AS ADDED BY P.L.223-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) For purposes of

this section, "DSM order" refers to an order of the commission that establishes or approves:

(1) energy efficiency targets or goals for electricity suppliers; or

(2) an energy efficiency program sponsored by an electricity supplier.

The term includes the December 9, 2009, order of the commission concerning demand side management programs.

(b) For purposes of this section, "electricity supplier" has the meaning set forth in IC 8-1-2.3-2(b).

(c) For purposes of this section, "energy efficiency program" means a program that is:

(1) sponsored by an electricity supplier or a third party administrator; and

(2) designed to implement energy efficiency improvements (as defined in 170 IAC 4-8-1(j)) for customers.

The term does not include a program designed primarily to reduce demand.

(d) For purposes of this section, "energy efficiency program costs" include:

(1) program costs;

(2) lost revenues; and

(3) incentives approved by the commission.

(e) For purposes of this section, "industrial customer" means a person that receives services at a single site constituting more than one (1) megawatt of electric capacity from an electricity supplier.

(f) An industrial customer may ~~before July 1, 2019~~, opt out of participating in an energy efficiency program that is established by an electricity supplier ~~in response to a DSM order~~ by providing notice to the electricity supplier. ~~An industrial customer may not opt out of participating in an energy efficiency program after June 30, 2019.~~ Except as provided in subsection (g), an electricity supplier may not charge an industrial customer that opts out rates that include energy efficiency program costs that accrue or are incurred after the date on which the industrial customer opts out. However, an industrial customer remains liable for rates that include energy efficiency program costs that accrued or were incurred, or related to investments made, before the date on which the industrial customer opts out, regardless of the date on which the rates are actually assessed against the industrial customer.

(g) An industrial customer that opts out of participating in an energy efficiency program may subsequently opt to participate in the same or a different energy efficiency program. The industrial customer must participate in the subsequent energy efficiency program for at least three (3) years after the date on which the industrial customer opts in. If the industrial customer terminates participation in the subsequent energy efficiency program during the three (3) year period described in this subsection, the industrial customer shall continue paying energy efficiency program rates, including costs described in subsection (f), for the remainder of the three (3) year period.

(h) Energy efficiency targets or goals that are approved or mandated by the commission in a DSM order must be calculated to exclude all load from an industrial customer that opts out under subsection (f).

- (i) The commission may adopt:
- (1) rules under IC 4-22-2; or
  - (2) guidelines;

to assist electricity suppliers and industrial customers in complying with this section.

(j) Not later than August 15, 2014, the commission shall prepare a status report on all energy efficiency programs implemented under the DSM order issued by the commission on December 9, 2009. The commission shall provide the status report in an electronic format under IC 5-14-6 to the **regulatory flexibility interim study committee on energy, utilities, and telecommunications established by IC 2-5-1.3-4** and to the legislative council. The status report must consider the following:

- (1) The status and effectiveness of all energy efficiency programs, including whether efficiency gains attributable to a federal conservation program are being measured as part of an energy efficiency program implemented under the 2009 DSM order.
- (2) The degree to which energy efficiency program costs are shifted among customer classes.
- (3) Program costs to date.
- (4) Program costs projected to be incurred in complying with all DSM orders.
- (5) The actual impact of program costs on all customer rates and the projected impact of program costs on all customer rates upon full implementation of the 2009 DSM order.
- (6) Current and projected costs and benefits of current and anticipated energy efficiency programs, including costs and benefits associated with third party administrators and evaluation, measurement, and verification contractors.
- (7) The effectiveness of energy efficiency programs in reducing energy consumption and demand.
- (8) Methods by which the cost effectiveness and long term resource value of energy efficiency programs may be measured to assess the effect on rates and charges for all customers.
- (9) Methods by which the interests of customers and electricity suppliers may be better aligned.
- (10) Any additional information or recommendations the commission determines is necessary.

This subsection expires December 31, 2014.

- (k) The commission may not:
- (1) extend, renew, or require the establishment of an energy efficiency program under; or
  - (2) after December 31, 2014, require an electricity supplier to meet a goal or target established in;

the DSM order issued by the commission on December 9, 2009. An electricity supplier may not renew or extend an existing contract or enter into a new contract with a statewide third party administrator for an energy efficiency program established or approved by the DSM order issued by the commission on December 9, 2009.

(l) After December 31, 2014, an electricity supplier may continue to timely recover energy efficiency program costs that:

- (1) accrued or were incurred under or relate to an energy efficiency program implemented under the DSM order issued by the commission on December 9, 2009; and
- (2) are approved by the commission for recovery.

(m) After December 31, 2014, an electricity supplier may offer a cost effective portfolio of energy efficiency programs to customers. An electricity supplier may submit a proposed energy efficiency program to the commission for review. If an electricity supplier submits a proposed energy efficiency program for review and the commission determines that the portfolio included in the proposed energy efficiency program is reasonable and cost effective, the electricity supplier may recover energy efficiency program costs in the same manner as energy efficiency program costs were recoverable under the DSM order issued by the commission on December 9, 2009. The commission may not:

- (1) require an energy efficiency program to be implemented by a third party administrator; or
- (2) in making its determination, consider whether a third party administrator implements the energy efficiency program.

(n) This section does not affect:

- (1) an energy efficiency program offered by an energy utility (as defined in IC 8-1-2.5-2) that is not an electricity supplier; or
- (2) the manner in or means by which an energy utility described in subdivision (1) may recover costs associated with an energy efficiency program described in subdivision (1)."

Page 5, delete lines 3 through 6, begin a new paragraph and insert:

**"(b) For purposes of this section, "energy efficiency" means a reduction in electricity use for a comparable level of electricity service.**

**(c) For purposes of this section, "energy efficiency goals" means all energy efficiency produced by cost effective plans that are:**

- (1) reasonably achievable;**
- (2) consistent with an electricity supplier's integrated resource plan; and**
- (3) designed to achieve an optimal balance of energy resources in an electricity supplier's service territory."**

Page 5, line 7, delete "(c)" and insert "(d)".

Page 5, line 10, delete "improvements (as" and insert "improvements."

Page 5, delete lines 11 through 12, begin a new line blocked left and insert:

**"The term does not include a program designed primarily to reduce demand for limited intervals of time, such as during peak electricity usage or emergency conditions."**

Page 5, line 13, delete "(d)" and insert "(e)".

Page 5, line 19, delete "(e)" and insert "(f)".

Page 5, line 22, delete "(g)." and insert "(h)".

Page 5, line 23, delete "(f)" and insert "(g)".

Page 5, line 30, delete "(n)." and insert "(o)".

Page 5, line 31, delete "(g)" and insert "(h)".

Page 6, line 8, delete "(h)" and insert "(i)".

Page 6, line 9, delete "(g)," and insert "(h)".

Page 6, line 15, delete "(i)" and insert "(j)".

Page 6, line 16, delete "(g)," and insert "(h)".

Page 6, line 34, delete "program." and insert **"program or from the overall design of a plan."**

Page 6, delete lines 35 through 37, begin a new line block indented and insert:

**"(6) Comments provided by customers, customer representatives, the office of utility consumer counselor, and other stakeholders concerning the adequacy and reasonableness of the plan, including alternative or additional means to achieve energy efficiency in the electricity supplier's service territory."**

Page 6, line 38, after "potential effect," insert **"in both the long term and the short term,"**

Page 7, between lines 3 and 4, begin a new line block indented and insert:

**"(9) The electricity supplier's current integrated resource plan and the underlying resource assessment."**

Page 7, line 4, delete "(9)" and insert **"(10)"**.

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

Page 7, line 16, delete "(k)" and insert **"(l)"**.

Page 7, line 27, delete "(l)" and insert **"(m)"**.

Page 7, line 37, delete "(m)" and insert **"(n)"**.

Page 7, line 41, delete "(i)," and insert **"(j)"**.

Page 8, line 1, delete "(n)" and insert **"(o)"**.

Page 8, line 2, delete "(g)" and insert **"(h)"**.

Page 8, between lines 11 and 12, begin a new line blocked left and insert:

**"A retail rate adjustment mechanism proposed by an electricity supplier under this section to implement the timely recovery of program costs (including reasonable lost revenues) may be based on a reasonable forecast, with consideration given to the electricity supplier's historical lost revenue forecasting accuracy. If forecasted data is used, the retail rate adjustment mechanism must include a reconciliation mechanism to correct for any variance between the forecasted program costs (including reasonable lost revenues) and the actual program costs (including reasonable lost revenues based on the evaluation, measurement, and verification of the energy efficiency programs under the plan)."**

Page 8, line 12, delete "(o)" and insert **"(p)"**.

Page 8, line 15, after "chapter." insert **"The opt out of an industrial customer who has previously complied with the procedure set forth in section 9(f) of this chapter constitutes an opt out of an electricity supplier's plan under this section. An industrial customer may follow the procedure set forth in section 9(g) of this chapter to opt back in."**

Page 8, line 16, delete "(p)" and insert **"(q)"**.

Renumber all SECTIONS consecutively.

(Reference is to SB 412 as printed January 27, 2015.)

MERRITT

Motion prevailed.

SENATE MOTION  
(Amendment 412-3)

Madam President: I move that Senate Bill 412 be amended to read as follows:

Page 8, line 11, delete "Reasonable" and insert **"Subject to subsection (o), reasonable"**.

Page 8, between lines 11 and 12, begin a new paragraph and insert:

**"(o) An electricity supplier may not recover reasonable lost revenues under subsection (n)(2) in any customer billing cycle that begins more than thirty-six (36) months after the initial customer billing cycle for which the electricity supplier first recovers the reasonable lost revenues approved by the commission under subsection (n)(2). However, in the commission's order approving the recovery of the reasonable lost revenues under subsection (n)(2), the commission may specify a shorter period for the recovery of the reasonable lost revenues. In adopting the rules or guidelines described in subsection (q), the commission shall include any rules or guidelines necessary to implement this subsection."**

Page 8, line 12, delete "(o)" and insert **"(p)"**.

Page 8, line 16, delete "(p)" and insert **"(q)"**.

(Reference is to SB 412 as printed January 27, 2015.)

BREAUX

Upon request of Senator Breaux the President ordered the roll of the Senate to be called. Roll Call 101: yeas 9, nays 40.

Motion failed. The bill was ordered engrossed.

#### Senate Bill 429

Senator Niemeyer called up Senate Bill 429 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 443

Senator Kruse called up Senate Bill 443 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 456

Senator Boots called up Senate Bill 456 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 456-1)

Madam President: I move that Senate Bill 456 be amended to read as follows:

Page 5, line 24, after "overpayment." insert **"For an overpayment described in subsection (e), the department has four (4) years from the date of the overpayment to establish that the overpayment occurred and the amount of the overpayment."**

Page 5, line 40, after "who" delete ",".

Page 5, line 40, strike "for any reason other than misrepresentation".

Page 5, strike lines 41 through 42.

Page 6, line 1, strike "article or" and insert **"fails to report wages received during a week in which benefits were paid or"**.

Page 6, line 2, strike "such".

Page 6, line 3, strike "becomes" and insert "**and as a result is**".

Page 6, between lines 10 and 11, begin a new paragraph and insert:

**"(e) An individual who for any reason not described in subsection (c) or (d) has received any amount as benefits to which the individual is not entitled under this article is liable to repay that amount to the department for the unemployment insurance benefit fund or to have that amount deducted from any benefits otherwise payable to the individual under this article."**

Page 6, line 11, strike "(e)" and insert "**(f)**".

Page 6, line 19, strike "(f)" and insert "**(g)**".

Page 6, line 36, strike "(g)" and insert "**(h)**".

Page 7, line 2, strike "(h)" and insert "**(i)**".

Page 20, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 9. IC 22-4-15-8, AS AMENDED BY P.L.121-2014, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. Notwithstanding any other provisions of this article, benefits otherwise payable for any week under this article shall not be denied or reduced on account of any payment or payments the claimant receives, has received, will receive, or accrues right to receive with respect to or based upon such week under a private unemployment benefit plan financed in whole or part by the claimant's employer or former employer. No claim for repayment of benefits and no deduction from benefits otherwise payable under this article shall be made under IC 22-4-13-1(d) and ~~IC 22-4-13-1(e)~~ **IC 22-4-13-1(f)** because of payments which have been or will be made under such private unemployment benefit plans. However, a payment of private unemployment benefits that is conditional upon the signing of a release of employment related claims against the claimant's employer is severance pay and is deductible income as prescribed by IC 22-4-5-2."

Renumber all SECTIONS consecutively.

(Reference is to SB 456 as printed February 6, 2015.)

BOOTS

Motion prevailed.

SENATE MOTION  
(Amendment 456-5)

Madam President: I move that Senate Bill 456 be amended to read as follows:

Page 5, line 25, delete "An" and insert "**Except as provided in subsection (i), an**".

Page 5, line 40, delete "Any" and insert "**Except as provided in subsection (i), any**".

Page 6, line 36, delete "Where" and insert "**Except as provided in subsection (i), where**".

Page 7, line 8, after "made" delete ":".

Page 7, strike lines 9 through 11.

Page 7, line 12, strike "(B)".

Page 7, line 12, after "employer" insert ";".

Page 7, line 12, strike "or the department;".

Page 7, delete lines 14 through 32, begin a new paragraph and insert:

**"(i) Liability for repayment of benefits paid to an individual, including an individual employed by an employer electing to make payments in lieu of contributions, shall be waived if:**

**(1) the benefits were received by the individual without fault of the individual; and**

**(2) the benefits were the result of payments made:**

**(A) during the pendency of an appeal before an administrative law judge or the review board under IC 22-4-17 under which the individual is determined to be ineligible for benefits; or**

**(B) because of an error by the department.**

SECTION 4. IC 22-4-13-4, AS ADDED BY P.L.172-2011, SECTION 128, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) This section applies to an individual:

(1) for whom the department has established an overpayment by a final written determination under section 1(a) or 1(b) of this chapter; ~~and~~

**(2) whose liability for repayment is not waived under section 1(i) of this chapter; and**

~~(3)~~ **(3) whose overpayment amount that is due and payable equals or exceeds:**

**(A) the individual's weekly benefit amount; multiplied by**

**(B) four (4).**

(b) Notwithstanding any other law and subject to subsection (c), an individual is entitled to repay the established amount of an overpayment over a period:

(1) beginning on the date the determination of the amount of the overpayment is final; and

(2) ending on a date not later than the date occurring thirty-six (36) months after the date specified in subdivision (1).

(c) An individual to whom this section applies may repay an overpayment over time as provided in subsection (b) not more than once during the individual's lifetime.

SECTION 5. IC 22-4-13-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 5. (a) Notwithstanding any other law, the department shall waive an individual's liability for repayment of benefits that were paid to an individual not entitled to receive them if:**

**(1) the individual received the benefits after July 1, 2011;**

**(2) the individual received the benefits without fault of the individual; and**

**(3) the individual was not entitled to receive the benefits solely as the result of changes in the unemployment insurance law made by HEA 1450-2011 (P.L.2-2011).**

**(b) Benefits for which repayment is waived under subsection (a) shall be charged to the fund and not to:**

**(1) the experience account of any employer; or**

**(2) an employer making payments in lieu of contributions."**

Renumber all SECTIONS consecutively.

(Reference is to SB 456 as printed February 6, 2015.)

TALLIAN

Upon request of Senator Tallian the President ordered the roll of the Senate to be called. Roll Call 102: yeas 12, nays 37.

Motion failed.

SENATE MOTION  
(Amendment 456-2)

Madam President: I move that Senate Bill 456 be amended to read as follows:

Page 12, delete lines 3 through 6.

(Reference is to SB 456 as printed February 6, 2015.)

TALLIAN

Motion failed. The bill was ordered engrossed.

#### Senate Bill 467

Senator Schneider called up Senate Bill 467 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 478

Senator Brown called up Senate Bill 478 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 492

Senator Boots called up Senate Bill 492 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 492-1)

Madam President: I move that Senate Bill 492 be amended to read as follows:

Page 24, line 4, delete "June 30," and insert "**an ordinance or resolution described in clause (C) that is adopted by the political subdivision has been approved by the board;**";

Page 24, delete line 5.

(Reference is to SB 492 as printed February 6, 2015.)

BOOTS

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 524

Senator Zakas called up Senate Bill 524 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 524-1)

Madam President: I move that Senate Bill 524 be amended to read as follows:

Page 7, line 32, delete "receipts and certified mail" and insert "**mailing receipts, return receipts, and returned mailing envelopes**".

Page 7, line 33, delete "return receipts".

Page 7, line 35, delete "receipts" and insert "**mailing receipts, return receipts, and returned mailing envelopes**".

Page 7, line 42, delete "(4)" and insert "**(5)**".

Page 12, line 5, after "mortgage," insert "**memorandum of lease**".

Page 12, line 6, after "mortgage," insert "**memorandum of lease**".

Page 12, line 10, delete "a mortgage" and insert "**an instrument**".

(Reference is to SB 524 as printed February 4, 2015.)

ZAKAS

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 567

Senator Pete Miller called up Senate Bill 567 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 567-2)

Madam President: I move that Senate Bill 567 be amended to read as follows:

Page 1, line 14, after "chapter," insert "**but subject to subsection (c)**".

Page 2, between lines 4 and 5, begin a new paragraph and insert:

**"(c) The treasurer of the redevelopment commission may disburse funds of the redevelopment commission only after the redevelopment commission allows and approves the disbursement. However, the redevelopment commission may, by rule or resolution, authorize the treasurer to make certain types of disbursements before the redevelopment commission's allowance and approval at its next regular meeting."**

Page 2, line 5, strike "(c)" and insert "**(d)**".

Page 2, line 12, strike "(d)" and insert "**(e)**".

Page 2, line 17, strike "(e)" and insert "**(f)**".

Page 18, after line 42, begin a new paragraph and insert:

**"SECTION 7. IC 36-7-15.1-3.5, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2015 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 3.5. (a) The controller of the consolidated city is the fiscal officer of a commission subject to this chapter.**

**(b) The controller may obtain financial services on a contractual basis for purposes of carrying out the powers and duties of the commission and protecting the public interests related to the operations and funding of the commission. Subject to subsection (c), the controller has charge over and is responsible for the administration, investment, and disbursement of all funds and accounts of the ~~authority~~ commission in accordance with the requirements of state law that apply to other funds and accounts administered by the controller.**

**(c) The controller may disburse funds of the commission only after the commission allows and approves the disbursement. However, the commission may, by rule or resolution, authorize the controller to make certain types of**

**disbursements before the commission's allowance and approval at its next regular meeting."**

Renumber all SECTIONS consecutively.  
(Reference is to SB 567 as printed February 6, 2015.)

PETE MILLER

Motion prevailed. The bill was ordered engrossed.

**ENGROSSED SENATE BILLS  
ON THIRD READING**

**Engrossed Senate Bill 7**

Senator Steele called up Engrossed Senate Bill 7 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 103: 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 Cox.

**Engrossed Senate Bill 27**

Senator Kruse called up Engrossed Senate Bill 27 for third reading:

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

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 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 sponsors: Representatives Smaltz and Cox.

**Engrossed Senate Bill 35**

Senator Boots called up Engrossed Senate Bill 35 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 105: yeas 40, nays 9. 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 Shaibley.

**Engrossed Senate Bill 249**

Senator Leising called up Engrossed Senate Bill 249 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 106: yeas 46, 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 Lehe and Baird.

**Engrossed Senate Bill 323**

Senator Head called up Engrossed Senate Bill 323 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 107: yeas 49, 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 Friend.

**Engrossed Senate Bill 327**

Senator Leising called up Engrossed Senate Bill 327 for third reading:

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

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 34, nays 15. 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 Dermond and GiaQuinta.

**Engrossed Senate Bill 347**

Senator Yoder called up Engrossed Senate Bill 347 for third reading:

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

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 42, nays 7. 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 Lehman.

#### **Engrossed Senate Bill 361**

Senator Messmer called up Engrossed Senate Bill 361 for third reading:

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

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 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 McMillin and Steuerwald.

#### **Engrossed Senate Bill 383**

Senator Hershman called up Engrossed Senate Bill 383 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 111: yeas 49, 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 VanNatter, Speedy, and Karickhoff.

#### **Engrossed Senate Bill 437**

Senator Hershman called up Engrossed Senate Bill 437 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 112: yeas 47, 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 Truitt and Lehe.

#### **Engrossed Senate Bill 469**

Senator Houchin called up Engrossed Senate Bill 469 for third reading:

A BILL FOR AN ACT 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 113: yeas 48, 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 Koch, Arnold, and Frye.

#### **Engrossed Senate Bill 476**

Senator Head called up Engrossed Senate Bill 476 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 114: yeas 49, 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 Friend.

#### **Engrossed Senate Bill 487**

Senator Glick called up Engrossed Senate Bill 487 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 115: yeas 49, 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 Cox and Smaltz.

#### **Engrossed Senate Bill 506**

Senator Yoder called up Engrossed Senate Bill 506 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 116: yeas 49, 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 Soliday.

#### **SENATE MOTION**

Madam President: I move that Senator Patricia Miller be added as third author of Engrossed Senate Bill 437.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ford be added as second author of Senate Bill 134.

RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second author of Senate Bill 456.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 469.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 212.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be added as coauthor of Senate Bill 566.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second author of Senate Bill 564.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Waltz be added as coauthor of Senate Bill 536.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as coauthor of Senate Bill 536.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 536.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as coauthor of Senate Bill 306.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 285.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as second author of Senate Bill 567.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Yoder be added as second author of Engrossed Senate Bill 437.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author of Engrossed Senate Bill 50.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as third author of Senate Bill 285.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as second author of Senate Bill 285.

TOMES

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be removed as coauthor of Senate Bill 467.

RANDOLPH

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as second author of Senate Bill 467.

SCHNEIDER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 382.

HERSHMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as coauthor of Senate Bill 363.

BRODEN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Tallian be removed as coauthor of Senate Bill 492.

TALLIAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Tallian be added as second author of Senate Bill 492.

BOOTS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 315.

SMITH

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Messmer be added as second author of Engrossed Senate Bill 7.

STEELE

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 409.

MERRITT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Zakas be added as coauthor of Senate Bill 363.

BRODEN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 309.

CRIDER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Senate Bill 129.

BRODEN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Glick be added as second author and Senator Messmer be added as third author of Engrossed Senate Bill 249.

LEISING

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator M. Young be added as third author of Engrossed Senate Bill 487.

GLICK

Motion prevailed.

## SENATE MOTION

Madam President: I move that Engrossed Senate Bill 55, which is eligible for third reading, be returned to second reading for purposes of amendment.

STEELE

Motion prevailed.

## SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, February 10, 2015.

LONG

Motion prevailed.

The Senate adjourned at 3:43 p.m.

JENNIFER L. MERTZ  
Secretary of the Senate

SUE ELLSPERMANN  
President of the Senate