



# Journal of the Senate

State of Indiana

118th General Assembly

Second Regular Session

Twelfth Meeting Day

Monday Afternoon

January 27, 2014

The Senate convened at 2:03 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Pastor Mark Vroegop, College Park Church.

The Pledge of Allegiance to the Flag was led by Senator Scott M. Schneider.

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

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

Roll Call 45: present 46; excused 4. [Note: A  indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 15

House Concurrent Resolution 15, sponsored by Senator Merritt:

A CONCURRENT RESOLUTION honoring Commissioner Larry S. Landis.

*Whereas, After more than 11 years of dedicated service to the Indiana Utility Regulatory Commission (IURC) and the citizens of Indiana, Commissioner Larry S. Landis retired;*

*Whereas, First appointed to the IURC on December 17, 2002, by Governor Frank O'Bannon, Commissioner Landis also served under Governors Kernan, Daniels, and Pence;*

*Whereas, Although Commissioner Landis has presided over hundreds of cases spanning all industries while serving on the IURC, he was most well-known for his work in the communications area;*

*Whereas, Due to his expertise in communications, Commissioner Landis was appointed to serve on numerous committees and boards, including the Federal-State Joint Board on Universal Service and the Federal-State Joint Conference on Advanced Telecommunications Services, of which he was state chair;*

*Whereas, Commissioner Landis was also a member of the Federal-State Joint Board on Jurisdictional Separations, served a second term as an at-large member of the National Association of Regulatory Utility Commissioners Board of Directors, and co-chaired the Washington Action Committee;*

*Whereas, During his time with the Indiana Utility Regulatory Commission, Commissioner Landis "advocated for a light regulatory touch, even-handed regulation, technological neutrality, and for pro-competitive policies in communications"; and*

*Whereas, Larry S. Landis has served the people of Indiana honorably both in the private sector and as a public servant: Therefore,*

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

SECTION 1. That the Indiana General Assembly expresses its sincerest gratitude to Larry S. Landis for his years of dedicated service to the state and its citizens and wishes him continued success and happiness in retirement.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Commissioner Larry S. Landis.

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.

## SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SR 17 Senator R. Young

Urging the Indiana General Assembly to study the Bureau of Motor Vehicle's certification law concerning 3-wheeled motorcycles.

SR 18 Senator Waltz

Honoring Peerless Pump Company on 90 years of business, for serving the greater Indianapolis area since 1947; and honoring Grundfos on 40 years of North American operations.

LONG

Motion prevailed.

**RESOLUTIONS ON FIRST READING****Senate Resolution 17**

Senate Resolution 17, introduced by Senator R. Young:

A SENATE RESOLUTION urging the Indiana General Assembly to study the Bureau of Motor Vehicle's certification law concerning 3-wheeled motorcycles.

*Whereas, An additional motorcycle certification is needed to legally drive 3-wheeled motorcycles in the State of Indiana;*

*Whereas, Elio Motors manufactures a 3-wheeled car, but it is currently defined as a motorcycle by state law;*

*Whereas, The Elio car costs thousands less than a traditional car, has a 5-star crash test rating, and gets 84 miles to the gallon, which would save Hoosiers money and lighten Indiana's carbon footprint;*

*Whereas, The Elio car is made exclusively in the United States of America; and*

*Whereas, The State of Indiana wants to make safe, cost-effective, and hassle-free forms of transportation available to every Hoosier: Therefore,*

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

SECTION 1. The Indiana General Assembly is urged to study the topic of motorcycle certification concerning 3-wheeled vehicles, specifically in relation to Elio Motor's car, to determine if a change should be made.

The resolution was read in full and adopted by voice vote.

**Senate Resolution 18**

Senate Resolution 18, introduced by Senators Waltz and Taylor:

A SENATE RESOLUTION honoring Peerless Pump

Company on 90 years of business, for serving the greater Indianapolis area since 1947; and honoring Grundfos on 40 years of North American operations.

*Whereas, Peerless Pump Company was founded in 1923. Peerless Pump Company designs, engineers, manufactures, and installs pumps for fire protection, power, industrial, commercial, and agricultural processes, and for municipal market applications;*

*Whereas, Grundfos was founded in 1945 in Denmark, and is one of the world's leading pump manufacturers. The mission of Grundfos is to successfully develop, produce, and sell high-quality pumps and pumping systems world-wide, contributing to a better quality of life and a healthy environment;*

*Whereas, Peerless Pump Company has been an employer of Indianapolis residents since 1947, and has continued to employ Indianapolis residents following its 2007 acquisition by Grundfos. Grundfos has operated in North America for 40 years; and*

*Whereas, Grundfos and Peerless Pump Company have raised over \$500,000 for Camp Riley over the past thirteen years, and collected and distributed over 50,000 pounds of food for local food banks: Therefore,*

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

SECTION 1. That the Indiana Senate congratulates Grundfos on its 40 year anniversary of North American operations, and Peerless Pump Company on the 90th anniversary of its founding.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Grundfos Indianapolis (Peerless Pump Company).

The resolution was read in full and adopted by voice vote.

**REPORTS FROM COMMITTEES****COMMITTEE REPORT**

Madam President: The Senate Committee on Agriculture and Natural Resources, to which was referred Senate Bill 33, 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 1.

YODER, Chair

Report adopted.

**COMMITTEE REPORT**

Madam President: The Senate Committee on Elections, to

which was referred Senate Bill 185, 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 1, after "list" insert "**and a printer separate from the electronic poll list**".

Page 3, line 3, delete "initials used by the poll clerks to" and insert "**printed initials of the poll clerks captured through the electronic signature pad or tablet at the time the poll clerks**".

Page 5, line 15, delete "The" and insert "**A printer separate from the**".

Page 5, line 18, delete "initials used by the poll clerks to" and insert "**printed initials of the poll clerks captured through the electronic signature pad or tablet at the time the poll clerks**".

Page 9, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 5. IC 3-11-10-27 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 27. (a) This section does not apply to a ballot mailed to a voter under this chapter.

(b) Subject to IC 3-5-4-9, before a ballot is voted under section 25 or 26 of this chapter before an absentee voter board, it must bear the circuit court clerk's official seal and signature or facsimile signature and be initialed by:

(1) the absentee voter board visiting the voter under section 25(b) of this chapter (except in a county subject to subsection (c)); or

(2) the county election board or the board's designated representatives under IC 3-11-4-19 if the ballot is cast at the office of the circuit court clerk under section 26 of this chapter.

(c) A county election board may adopt a resolution providing that the absentee ballots to be voted before an absentee voter board visiting the voter under section 25(b) of this chapter must be initialed by the county election board or the board's representatives under IC 3-11-4-19 and not by the absentee voter board visiting the voter. A resolution adopted under this subsection remains in effect until rescinded by the county election board. The election board may not rescind the resolution during the final sixty (60) days before an election.

(d) The initials must be:

(1) in ink on the back of the ballot, in the person's ordinary handwriting or printing, and without a distinguishing mark of any kind; or

(2) in a vote center county using an electronic poll list:  
 (A) printed on the back of the ballot by a printer separate from the electronic poll list, immediately before the ballot is delivered to the voter; and  
 (B) the initials of the county election board or the board's representatives captured through the electronic signature pad or tablet at the time the county election board or the board's representatives log into the electronic poll book system.

(e) No other initialing of the absentee ballot is necessary."

Page 10, line 2, delete "initials used by the poll clerks to" and insert "**printed initials of the poll clerks captured through the electronic signature pad or tablet at the time the poll clerks**".

Page 10, line 3, after "printed" insert "**by a printer separate from the electronic poll list**".

Page 10, line 13, after "list" delete "," and insert "**and a printer separate from the electronic poll list**".

Page 10, line 14, delete "initials used by the poll clerks to" and insert "**printed initials of the poll clerks captured through the electronic signature pad or tablet at the time the poll clerks**".

Page 10, line 15, after "printed" insert "**by a printer separate from the electronic poll list**".

Page 10, line 37, after "list" insert "**and a printer separate from the electronic poll list**".

Page 10, line 39, delete "initials used by the poll clerks to" and insert "**printed initials of the poll clerks captured through the electronic signature pad or tablet at the time the poll clerks**".

Page 12, line 36, delete "initials used by the poll clerks to" and insert "**printed initials of the poll clerks captured through the electronic signature pad or tablet at the time the poll clerks**".

Renumber all SECTIONS consecutively.

(Reference is to SB 185 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

ZAKAS

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Senate Bill 217, 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 27, after "for" insert "**each compartment within**".

Page 3, between lines 28 and 29, begin a new paragraph and insert:

"(e) For purposes of determining eligibility for payment of part of the liability of owners and operators of underground petroleum storage tanks under IC 13-23-8, only fees paid in 1991 or later shall be considered.

(f) The following apply to tanks that contain separate compartments and that were in use before July 1, 2014:

(1) For the period preceding July 1, 2014, the payment of a single annual fee of ninety dollars (\$90) for a tank containing separate compartments shall be deemed to satisfy the requirements of subsection (b).

(2) The department shall not be required to pay any refunds to a tank owner that paid a separate fee under subsection (b) for each compartment within a tank before July 1, 2014."

Page 3, line 32, strike "IC 36-9-27" and insert "**this chapter**".

Page 3, line 38, reset in roman "shall".

Page 3, line 38, delete "may".

Page 3, line 38, strike "an onsite field" and insert "**a**".

Page 3, line 39, after "notification" strike "of" and insert "**to**".

Page 3, line 40, after "section)." insert "**The notification may include a request to schedule an onsite field review of the project.**".

Page 3, line 41, delete "Not" and insert "**If an onsite field review is requested, not**".

Page 3, line 41, strike "a notification" and insert "**the request**".

Page 4, line 4, strike "The" and insert "**If an**".

Page 4, line 4, after "review" insert "**is scheduled, it**".

Page 4, line 14, strike "an onsite field" and insert "**a**".

Page 5, line 23, strike "onsite field".

(Reference is to SB 217 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

CHARBONNEAU, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Economic Development and Technology, to which was referred Senate Bill 234, 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 7, Nays 0.

BUCK, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Economic Development and Technology, to which was referred Senate Bill 261, 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 17, after "phases." insert "**However, the CMC may not procure the project professional architectural and engineering design services. The public agency must directly contract for the services of the architect and engineer of record.**".

Page 2, line 19, delete "quality analysis." and insert "**analysis of qualifications of first tier subcontractors.**".

Page 2, line 40, delete "a road, highway, or bridge unless" and insert "**roads, highways, bridges, or potable water or wastewater infrastructure.**".

Page 2, delete lines 41 through 42.

Page 3, delete lines 1 through 2.

Page 3, line 9, delete "A" and insert "**If a public agency chooses to use the procedures set forth in this article when**

**performing a public works project, the**".

Page 4, line 6, delete "if" and insert "**as**".

Page 5, between lines 33 and 34, begin a new paragraph and insert:

**"Sec. 5. (a) Except as provided in subsection (b), a bid is a public record subject to public inspection under IC 5-14-3.**

**(b) A bid is not subject to inspection and copying under IC 5-14-3 until a contract has been awarded or the solicitation of bids has been canceled.**".

(Reference is to SB 261 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

BUCK, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Senate Bill 271, 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 2, delete "water".

Page 1, line 3, delete "resources study" and insert "**appropriate**".

Page 1, line 3, delete "established by IC 2-5-25-1".

Page 2, between lines 13 and 14, begin a new line block indented and insert:

**"(8) Study the potential creation of a water institute.**

**(9) Study the potential creation of a water management authority.**".

(Reference is to SB 271 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

CHARBONNEAU, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Agriculture and Natural Resources, to which was referred Senate Bill 304, 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 7, Nays 0.

YODER, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 350, 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 10, line 9, reset in roman "a".

Page 10, line 9, strike "an".

Page 10, line 10, strike "automobile auctioneer, a transfer dealer, or a".

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

"SECTION 23. IC 9-32-11-10, AS ADDED BY P.L.92-2013, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10. This section does not apply to sales made at a motor vehicle industry sponsored trade show. A dealer **who sells to the general public** may not sell or offer to sell a vehicle at a location away from the dealer's established place of business without obtaining an offsite sales license under section 11 of this chapter."

Page 13, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 26. IC 9-32-11-17, AS ADDED BY P.L.92-2013, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 17. **This section does not apply to a wholesale dealer.** A dealer who sells a motor vehicle through the use of the Internet or another computer network shall deliver the motor vehicle to the customer, or the customer's representative, at the place of business of the dealer in Indiana."

Re-number all SECTIONS consecutively.

(Reference is to SB 350 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

ZAKAS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Agriculture and Natural Resources, to which was referred Senate Bill 357, 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 1, delete "IC 15-11-6.5" and insert "IC 15-15-13".

Page 1, line 4, delete "6.5." and insert "13".

Page 1, between lines 4 and 5, begin a new paragraph and insert:

**"Sec. 0.5. The state seed commissioner shall administer this chapter."**

Page 1, line 9, delete "department" and insert "**state seed commissioner**".

Page 2, line 26, delete "department." and insert "**state seed commissioner**".

Page 2, line 28, delete "department." and insert "**state seed commissioner**".

Page 3, line 22, delete "department." and insert "**state seed commissioner**".

Page 3, line 23, delete "department." and insert "**state seed commissioner**".

Page 3, line 26, delete "department" and insert "**state seed commissioner**".

Page 3, line 35, delete "department" and insert "**state seed commissioner**".

Page 3, line 38, delete "department" and insert "**state seed commissioner**".

Page 3, line 40, delete "department" and insert "**state seed commissioner**".

Page 3, line 42, delete "department" and insert "**state seed commissioner**".

Page 4, line 6, delete "department" and insert "**state seed commissioner**".

Page 4, line 12, delete "department." and insert "**state seed commissioner**".

Page 4, line 12, delete "The department" and insert "**The state seed commissioner**".

Page 4, line 14, delete "department," and insert "**state seed commissioner**".

Page 4, line 20, delete "department's" and insert "**state seed commissioner's**".

Page 4, line 22, delete "department." and insert "**state seed commissioner**".

Page 4, line 23, delete "department" and insert "**state seed commissioner**".

Page 4, line 24, delete "department" and insert "**state seed commissioner**".

Page 4, line 27, delete "department;" and insert "**state seed commissioner**".

Page 4, line 31, delete "department" and insert "**state seed commissioner**".

Page 4, line 39, delete "department" and insert "**state seed commissioner**".

Page 4, line 41, delete "department" and insert "**state seed commissioner**".

Page 5, line 7, delete "department" and insert "**state seed commissioner**".

Page 5, line 10, delete "department" and insert "**state seed commissioner**".

Page 5, line 25, delete "department" and insert "**state seed commissioner**".

Page 5, line 31, delete "department" and insert "**state seed commissioner**".

Page 5, line 33, delete "department" and insert "**state seed commissioner**".

Page 5, line 35, delete "department" and insert "**state seed commissioner**".

Page 5, line 38, delete "department" and insert "**state seed commissioner**".

Page 5, line 40, delete "department" and insert "**state seed commissioner**".

Page 5, line 41, delete "department" and insert "**state seed commissioner**".

Page 6, line 3, delete "department" and insert "**state seed commissioner**".

Page 6, line 7, delete "department" and insert "**state seed commissioner**".

Page 6, line 8, delete "department" and insert "**state seed commissioner**".

Page 6, line 10, delete "department" and insert "**state seed commissioner**".

Page 6, line 12, delete "department" and insert "**state seed commissioner**".

Page 6, line 13, delete "department" and insert "**state seed commissioner**".

Page 6, line 15, delete "department" and insert "**state seed commissioner**".

Page 6, line 34, delete "IC 15-11-6.5-6." and insert "**IC 15-15-13-6.**".

(Reference is to SB 357 as introduced.)  
and when so amended that said bill do pass.  
Committee Vote: Yeas 7, Nays 0.

YODER, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 377, 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 4, delete lines 10 through 38.

Page 6, line 10, delete ", or in the case of pendent jurisdiction," and insert "**or in**".

Page 6, delete lines 24 through 27, begin a new line double block indented and insert:

**"(D) any actions otherwise relating to the internal affairs of the corporation."**

Page 7, delete lines 2 through 6, begin a new paragraph and insert:

**"(b) Each corporation incorporated after June 30, 2014, shall file with the secretary of state:**

**(1) the registered agent's written consent; or**

**(2) a representation that the registered agent has consented."**

Page 7, line 7, delete "formed" and insert "**incorporated**".

Page 8, delete lines 25 through 29, begin a new paragraph and insert:

**"(b) Each foreign corporation qualified after June 30, 2014, to do business in Indiana shall file with the secretary of state:**

**(1) the registered agent's written consent; or**

**(2) a representation that the registered agent has consented."**

Page 10, line 8, delete "revocation." and insert "**revocation of the foreign corporation's certificate of authority.**".

Page 10, line 19, delete ";" and insert "**of the foreign corporation's certificate of authority;**".

Page 10, line 21, after "revocation" insert "**of the foreign corporation's certificate of authority**".

Page 10, line 29, after "revocation of the" insert "**foreign corporation's**".

Page 10, line 31, after "revocation" insert "**of the foreign corporation's certificate of authority**".

Page 11, line 16, delete "domestic".

Page 11, delete lines 31 through 36, begin a new paragraph and insert:

**"(b) Each limited liability partnership formed after June 30, 2014, under the laws of Indiana and each foreign limited liability partnership that qualifies, after June 30, 2014, to do business in Indiana shall file with the secretary of state:**

**(1) the registered agent's written consent; or**

**(2) a representation that the registered agent has consented."**

Page 11, line 37, delete "formed under the laws of" and insert "**and each foreign limited liability partnership**".

Page 11, line 38, delete "Indiana or qualified to do business in Indiana".

Page 12, line 1, delete "limited liability".

Page 12, line 5, delete "limited liability".

Page 12, line 7, delete "limited liability".

Page 12, line 9, after "partnership" insert "**or a foreign limited liability partnership**".

Page 12, line 12, delete "limited liability".

Page 12, line 14, reset in roman "or a foreign limited liability".

Page 12, line 15, reset in roman "partnership".

Page 12, line 18, delete "limited liability".

Page 12, line 19, delete "limited liability".

Page 12, line 23, delete "limited liability".

Page 12, line 37, delete "limited liability".

Page 12, line 38, strike "either manually or in facsimile".

Page 12, line 40, delete "limited".

Page 12, line 41, delete "liability".

Page 12, delete line 42.

Delete pages 13 through 14.

Page 15, delete lines 1 through 37.

Page 17, delete lines 20 through 24, begin a new paragraph and insert:

**"(f) An entity may not include an entity indicator, such as "Inc.", "Corp.", "LLC", "LP", "LLP", or similar description in an assumed business name filing, that is inconsistent with the entity type for which the assumed business name is being filed. However, if the entity filing the assumed business name has filed articles of conversion, domestication, or merger that changes the entity type, the entity indicator in the assumed business name filing may be inconsistent with the entity type if the conversion, domestication, or merger occurred within the twelve (12) months before the date of the assumed business name filing."**

Page 19, line 6, delete "entity was created;" and insert "**domestic entity was created or foreign entity is permitted to transact business in Indiana;**".

Page 19, line 11, delete "has complied with this title." and insert **"was formed using suspected fraudulent or fictitious filings or is being used to commit fraud."**

Page 19, line 20, delete "an officer, a" and insert **"a duly appointed officer, an"**.

Page 19, line 21, delete "shareholder," and insert **"agent,"**.

Page 19, line 30, delete "reverse fictitious filings;" and insert **"remove fraudulent filings from the secretary of state's record for the entity;"**.

Page 19, line 31, delete "entities;" and insert **"a certificate of authority;"**.

Page 20, delete lines 9 through 13, begin a new paragraph and insert:

**"(b) Each limited partnership formed after June 30, 2014, under the laws of Indiana shall file with the secretary of state:**

**(1) the registered agent's written consent; or**

**(2) a representation that the registered agent has consented."**

Page 21, delete lines 3 through 42.

Delete pages 22 through 24.

Page 25, delete lines 1 through 22.

Page 26, delete lines 10 through 15, begin a new paragraph and insert:

**"(d) Each foreign limited partnership that qualifies after June 30, 2014, to do business in Indiana shall file with the secretary of state:**

**(1) the registered agent's written consent; or**

**(2) a representation that the registered agent has consented."**

Page 27, delete lines 13 through 42.

Delete page 28.

Page 29, delete lines 1 through 40.

Page 30, delete lines 20 through 36.

Page 32, line 24, delete ", or in the case of pendent jurisdiction," and insert **"or in"**.

Page 32, delete lines 26 through 27.

Page 32, line 28, delete "(B)" and insert **"(A)"**.

Page 32, line 31, delete "(C)" and insert **"(B)"**.

Page 32, delete lines 35 through 38, begin a new line double block indented and insert:

**"(C) any actions otherwise relating to the internal affairs of the corporation."**

Page 33, delete lines 12 through 16, begin a new paragraph and insert:

**"(b) Each corporation incorporated after June 30, 2014, under the laws of Indiana shall file with the secretary of state:**

**(1) the registered agent's written consent; or**

**(2) a representation that the registered agent has consented."**

Page 34, line 28, strike "corporation incorporated or authorized to transact" and insert **"domestic limited liability company, domestic corporation, or nonprofit domestic**

**corporation"**.

Page 34, line 29, strike "business under IC 23-1".

Page 34, line 30, after "office;" insert **"or"**.

Page 34, line 31, strike "business or nonprofit corporation" and insert **"limited liability company, foreign corporation, or nonprofit foreign corporation"**.

Page 34, line 32, after "whose" insert **"business"**.

Page 34, line 33, delete "office; or" and insert "office."

Page 34, strike lines 34 through 36.

Page 34, delete lines 37 through 41, begin a new paragraph and insert:

**"(b) Each foreign corporation that qualifies after June 30, 2014, to do business in Indiana shall file with the secretary of state:**

**(1) the registered agent's written consent; or**

**(2) a representation that the registered agent has consented."**

Page 36, line 23, delete "." and insert **"of the foreign corporation's certificate of authority."**

Page 36, line 24, after "revocation" insert **"of the foreign corporation's certificate of authority"**.

Page 36, line 33, delete ";" and insert **"of the foreign corporation's certificate of authority;"**.

Page 36, line 35, after "revocation" insert **"of the foreign corporation's certificate of authority"**.

Page 37, line 1, after "revocation" insert **"of the foreign corporation's certificate of authority"**.

Page 37, line 2, after "revocation" insert **"of the foreign corporation's certificate of authority"**.

Page 37, line 12, strike "revocation of the foreign corporation's certificate of authority" and insert **"denial of reinstatement"**.

Page 38, line 9, after "law" insert **"of the domiciliary state"**.

Page 38, line 10, delete "the domicillary state of".

Page 42, line 19, delete "incorporation or" and insert **"organization or written"**.

Page 42, line 21, delete ", or in the case of pendent" and insert **"or in"**.

Page 42, line 22, delete "jurisdiction,".

Page 42, delete lines 23 through 24.

Page 42, line 25, delete "(B)" and insert **"(A)"**.

Page 42, line 29, delete "(C)" and insert **"(B)"**.

Page 42, line 32, delete "incorporation" and insert **"organization"**.

Page 42, delete lines 33 through 42, begin a new line double block indented and insert:

**"(C) any actions otherwise relating to the internal affairs of the limited liability company."**

Page 43, delete lines 1 through 18.

Page 43, delete lines 33 through 38, begin a new paragraph and insert:

**"(b) Each limited liability company organized after June 30, 2014, under the laws of Indiana shall file with the secretary of state:**

- (1) the registered agent's written consent; or  
 (2) a representation that the registered agent has consented."

Page 45, line 5, delete "are effective after June 30, 2013. However,".

Page 45, line 6, delete "section 2.5 of this chapter and IC 23-18-4-4(a)(3)".

Page 45, line 9, delete "July 1, 2013," and insert "**July 1, 2014,**".

Page 45, line 13, delete "July 1, 2013." and insert "**July 1, 2014.**".

Page 46, line 23, after "assignee of" insert "**all or**".

Page 46, line 24, after "owner," insert "**depending on the number of surviving transfer on death beneficiaries,**".

Page 46, line 37, after "assignee of" insert "**all or**".

Page 46, line 38, delete "part" and insert "**portion**".

Page 46, line 38, after "interest" insert ", **depending on the number of surviving joint tenants,**".

Page 48, delete lines 34 through 39, begin a new paragraph and insert:

**"(b) Each foreign limited liability company that qualifies after June 30, 2014, to do business in Indiana shall file with the secretary of state:**

- (1) the registered agent's written consent; or  
 (2) a representation that the registered agent has consented."

Page 51, line 13, delete "." and insert "**of the foreign limited liability company's certificate of authority.**".

Page 51, line 14, after "revocation" insert "**of the foreign limited liability company's certificate of authority.**".

Page 51, line 36, after "revocation" insert "**of the foreign limited liability company's certificate of authority.**".

Page 51, line 38, after "revocation" insert "**of the foreign limited liability company's certificate of authority.**".

Page 51, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 40. IC 23-18-11-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 17. **(a) If the secretary of state denies a foreign limited liability company's application for reinstatement following revocation of a certificate of authority, the secretary of state shall serve the foreign limited liability company under IC 23-18-11-11 with a written notice that explains the reason or reasons for the denial.**

**(a) (b) A foreign limited liability company may appeal the secretary of state's ~~revocation of its certificate of authority~~ denial of reinstatement** to the circuit or superior court of the county where the foreign limited liability company's registered office is located not more than thirty (30) days after service of the certificate of revocation is perfected. ~~under section 11 of this chapter by doing the following:~~

- (1) Filing a petition with the court to set aside the ~~revocation.~~  
 (2) Attaching to the petition copies of its certificate of

~~authority and the secretary of state's certificate of revocation.~~

**If the foreign limited liability company appeals to the court to set aside the revocation, the foreign limited liability company shall attach to the petition copies of the:**

- (1) secretary of state's certificate of revocation of the limited liability company's certificate of authority;  
 (2) foreign limited liability company's application for reinstatement; and  
 (3) secretary of state's notice of denial.

~~(b) (c)~~ (c) The court may order the secretary of state to reinstate the certificate of authority or may take other action the court considers appropriate.

~~(c) (d)~~ (d) The court's final decision may be appealed as in other civil proceedings."

Renumber all SECTIONS consecutively.

(Reference is to SB 377 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

ZAKAS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill 385, 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:

Replace the effective date in SECTION 23 with "[EFFECTIVE UPON PASSAGE]".

(Reference is to SB 385 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 2.

ZAKAS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 409, 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.

ZAKAS, Chair

Report adopted.

#### SENATE BILLS ON SECOND READING

##### Senate Bill 41

Senator Steele called up Senate Bill 41 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.



**Senate Bill 43**

Senator Yoder called up Senate Bill 43 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 58**

Senator Paul called up Senate Bill 58 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 106**

Senator Charbonneau called up Senate Bill 106 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 114**

Senator Leising called up Senate Bill 114 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 134**

Senator Wyss called up Senate Bill 134 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 138**

Senator Becker called up Senate Bill 138 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 139**

Senator Becker called up Senate Bill 139 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 142**

Senator Patricia Miller called up Senate Bill 142 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 142-1)

Madam President: I move that Senate Bill 142 be amended to read as follows:

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

"SECTION 1. IC 12-7-2-154.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 154.9. "Qualified health plan", for purposes of IC 12-15-46-3, has the meaning set forth in IC 12-15-46-3(a).**"

Page 2, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 7. IC 12-15-46-3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3. (a) As used in this section, "qualified health plan" means a health plan that has been certified under Section 1301 of the federal Patient Protection and Affordable Care Act (PPACA) (42 U.S.C. 18021(a)) to meet the criteria for availability through a health benefit exchange operated in Indiana.**

**(b) Before July 1, 2014, the office of the secretary of family and social services shall apply to the United States Department of Health and Human Services for a demonstration waiver or an amendment to the state Medicaid plan to allow the office of the secretary to, through the Medicaid program, pay premiums to purchase for individuals coverage by a qualified health plan through a health benefit exchange operated in Indiana. The state plan amendment or demonstration waiver must seek to purchase coverage for an individual whose income is not more than one hundred thirty-eight percent (138%) of the federal poverty level and who:**

**(1) is at least nineteen (19) years of age but less than sixty-five (65) years of age; and**

**(2) is not:**

**(A) eligible for Medicaid in Indiana; and**

**(B) eligible to participate in Medicare.**

**The office of the secretary may require cost sharing by the individual in obtaining and maintaining coverage under the qualified health plan.**

**(c) The office of the secretary may not implement a state plan amendment or waiver under this section until the office of the secretary files an affidavit with the governor attesting that the state plan amendment or waiver applied for under this section is in effect. The office of the secretary shall file the affidavit under this subsection not later than five (5) days after the office of the secretary is notified that the state plan amendment or waiver is approved.**

**(d) If the office of the secretary receives approval for the state plan amendment or waiver under this section from the United States Department of Health and Human Services and the governor receives the affidavit filed under subsection (c), the office of the secretary shall implement the state plan amendment or waiver not more than sixty (60) days after the governor receives the affidavit."**

Renumber all SECTIONS consecutively.

(Reference is to SB 142 as printed January 24, 2014.)

TALLIAN

Upon request of Senator Tallian the President ordered the roll of the Senate to be called. Roll Call 46: yeas 10, nays 36.

Motion failed. The bill was ordered engrossed.

**Senate Bill 143**

Senator Patricia Miller called up Senate Bill 143 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 158**

Senator Kenley called up Senate Bill 158 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 159**

Senator Kenley called up Senate Bill 159 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 159-1)

Madam President: I move that Senate Bill 159 be amended to read as follows:

Page 5, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 1. IC 20-24-7-4, AS AMENDED BY P.L.205-2013, SECTION 231, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) Services that a school corporation provides to a charter school, including transportation, may be provided at not more than one hundred three percent (103%) of the actual cost of the services.

(b) This subsection applies to an authorizer that is a state educational institution described in IC 20-24-1-2.5(2). **Except as provided in subsection (f)**, in a state fiscal year, a state educational institution may receive from the organizer of a charter school authorized by the state educational institution an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year from basic tuition support (as defined in IC 20-43-1-8).

(c) This subsection applies to the executive of a consolidated city that authorizes a charter school. **Except as provided in subsection (f)**, in a state fiscal year, the executive may collect from the organizer of a charter school authorized by the executive an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support.

(d) This subsection applies to an authorizer that is a nonprofit college or university that is approved by the state board of education. **Except as provided in subsection (f)**, in a state fiscal year, a private college or university may collect from the organizer of a charter school authorized by the private college or university an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support.

(e) This subsection applies to the charter board. **Except as provided in subsection (f)**, in a state fiscal year, the charter school board may collect from the organizer of a charter school authorized by the charter board an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support.

**(f) This subsection applies to an adult high school. An authorizer described in subsections (b) through (e) may collect an administrative fee equal to not more than three percent (3%) of the total state appropriation to the adult**

**high school for a state fiscal year under section 13.5 of this chapter.**

~~(f)~~ **(g)** An authorizer's administrative fee may not include any costs incurred in delivering services that a charter school may purchase at its discretion from the authorizer. The authorizer shall use its funding provided under this section exclusively for the purpose of fulfilling authorizing obligations.

~~(g)~~ **(h)** Except for oversight services, a charter school may not be required to purchase services from its authorizer as a condition of charter approval or of executing a charter contract, nor may any such condition be implied.

~~(h)~~ **(i)** A charter school may choose to purchase services from its authorizer. In that event, the charter school and authorizer shall execute an annual service contract, separate from the charter contract, stating the parties' mutual agreement concerning the services to be provided by the authorizer and any service fees to be charged to the charter school. An authorizer may not charge more than market rates for services provided to a charter school.

~~(i)~~ **(j)** Not later than ninety (90) days after the end of each fiscal year, each authorizer shall provide to each charter school it authorizes an itemized accounting of the actual costs of services purchased by the charter school from the authorizer. Any difference between the amount initially charged to the charter school and the actual cost shall be reconciled and paid to the owed party. If either party disputes the itemized accounting, any charges included in the accounting, or charges to either party, either party may request a review by the department. The requesting party shall pay the costs of the review."

Renumber all SECTIONS consecutively.

(Reference is to SB 159 as printed January 24, 2014.)

KENLEY

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 163**

Senator Head called up Senate Bill 163 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 166**

Senator Leising called up Senate Bill 166 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 207**

Senator Walker called up Senate Bill 207 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 222**

Senator Holdman called up Senate Bill 222 for second reading. The bill was read a second time by title. There being no

amendments, the bill was ordered engrossed.

### Senate Bill 227

Senator Merritt called up Senate Bill 227 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 227-1)

Madam President: I move that Senate Bill 227 be amended to read as follows:

Page 4, line 4, after "23.5." insert "**(a)**".

Page 4, line 5, delete "responder" and insert "**responder, a firefighter, or a law enforcement officer who is providing emergency medical services in the course of the individual's employment**".

Page 4, between lines 6 and 7, begin a new paragraph and insert:

**"(b) A health care provider who is licensed in Indiana and whose scope of practice includes the prescribing of medication may write a prescription, drug order, or protocol for an overdose prevention drug for an emergency medical responder, a law enforcement agency, or a fire department.**

**(c) A pharmacist licensed under IC 25-26 may dispense a valid prescription, drug order, or protocol for an overdose prevention drug issued in the name of any emergency medical responder, a law enforcement agency, or a fire department."**

Page 4, line 10, delete "responder" and insert "**responder, a firefighter, or a law enforcement officer**".

Page 4, line 12, after "by" insert ":

- (1) the department or agency that oversees the individual's employment in providing emergency medical services; or**
- (2)".**

Page 4, line 12, delete "IC 16-31-2-9 to" and insert "**IC 16-31-2-9**";.

Page 4, line 12, beginning with "to" begin a new line blocked left.

Page 4, line 15, delete "responder" and insert "**responder, a firefighter, or a law enforcement officer**".

Page 4, line 16, delete "emergency medical responder's" and insert "**individual's**".

Page 4, line 18, delete "responder" and insert "**responder, a firefighter, or a law enforcement officer**".

Page 4, line 22, delete "emergency" and insert "**certain persons**".

Page 4, line 23, delete "medical responders".

(Reference is to SB 227 as printed January 24, 2014.)

MERRITT

Motion prevailed. The bill was ordered engrossed.

### Senate Bill 229

Senator Tomes called up Senate Bill 229 for second reading.

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

### Senate Bill 238

Senator Wyss called up Senate Bill 238 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### Senate Bill 245

Senator Patricia Miller called up Senate Bill 245 for second reading. The bill was reread a second time by title.

SENATE MOTION  
(Amendment 245-2)

Madam President: I move that Senate Bill 245 be amended to read as follows:

Page 2, line 6, delete "personnel" and insert "**employees**".

(Reference is to SB 245 as printed January 17, 2014.)

PATRICIA MILLER

Motion prevailed. The bill was ordered engrossed.

### Senate Bill 246

Senator Bray called up Senate Bill 246 for second reading. The bill was reread a second time by title.

SENATE MOTION  
(Amendment 246-1)

Madam President: I move that Senate Bill 246 be amended to read as follows:

Page 1, line 4, delete "The commission shall study" and insert "**The general assembly urges the legislative council to assign to the commission or another appropriate study committee the topic of**".

Page 1, line 7, delete "The commission" and insert "**If the legislative council assigns the topic described in subsection (b) to the commission or another appropriate study committee, the commission or the study committee**".

(Reference is to SB 246 as printed January 17, 2014.)

BRAY

Motion prevailed. The bill was ordered engrossed.

### Senate Bill 254

Senator Arnold called up Senate Bill 254 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### Senate Bill 260

Senator Banks called up Senate Bill 260 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 260-1)

Madam President: I move that Senate Bill 260 be amended to read as follows:

Page 1, line 3, delete ""federal facility"" and insert ""military base" means an active military installation that:

(1) is used for the deployment, redeployment, mobilization, concentration, movement, exercise, or training of active or reserve components of the armed forces of the United States or of active or reserve components of the Indiana National Guard or Indiana Area National Guard; and

(2) consists of an area of at least one hundred (100) acres.

The term also includes a military installation that is used for the design, construction, maintenance, and testing of electronic devices and ordnance.

(b) Upon appropriation by the fiscal body of a unit, the unit may expend money:

(1) in direct support of a military base located within the unit, including direct support for the promotion of the military base, the growth of the military base, and activities at the military base; and

(2) in support of any other entity that provides services or direct support to a military base described in subdivision (1)."

Page 1, delete lines 4 through 9.

Page 4, line 20, after "grants and" insert "loans):

(A) in direct support of a military base located within the unit that established the redevelopment commission, including direct support for the promotion of the military base, the growth of the military base, and activities at the military base; and

(B) in support of any other entity that provides services or direct support to a military base described in clause (A).

The fiscal body of the unit that established the redevelopment commission must separately approve each grant, loan, or other expenditure for financial assistance under this subdivision. The terms of any loan that is made under this subdivision may be changed only if the change is approved by the fiscal body of the unit that established the redevelopment commission. As used in this subdivision, "military base" has the meaning set forth in IC 36-1-4-20."

Page 4, delete lines 21 through 25.

Page 15, line 35, after "grants and" insert "loans):

(A) in direct support of a military base located within the unit that established the redevelopment commission, including direct support for the promotion of the military base, the growth of the military base, and activities at the military base; and

(B) in support of any other entity that provides services or direct support to a military base described in clause (A).

The fiscal body of the unit that established the redevelopment commission must separately approve

each grant, loan, or other expenditure for financial assistance under this subdivision. The terms of any loan that is made under this subdivision may be changed only if the change is approved by the fiscal body of the unit that established the redevelopment commission. As used in this subdivision, "military base" has the meaning set forth in IC 36-1-4-20."

Page 15, delete lines 36 through 40.

Page 26, line 30, delete "in" and insert ":

(A) in direct support of a military base located within the unit that established the reuse authority, including direct support for the promotion of the military base, the growth of the military base, and activities at the military base; and

(B) in support of any other entity that provides services or direct support to a military base described in clause (A).

The fiscal body of the unit that established the reuse authority must separately approve each grant, loan, or other expenditure for financial assistance under this subdivision. The terms of any loan that is made under this subdivision may be changed only if the change is approved by the fiscal body of the unit that established the reuse authority. As used in this subdivision, "military base" has the meaning set forth in IC 36-1-4-20."

Page 26, delete lines 31 through 35.

Page 33, line 38, after "loans)" insert ":

(A) in direct support of a military base located within the unit that established the development authority, including direct support for the promotion of the military base, the growth of the military base, and activities at the military base; and

(B) in support of any other entity that provides services or direct support to a military base described in clause (A).

The fiscal body of the unit that established the development authority must separately approve each grant, loan, or other expenditure for financial assistance under this subdivision. The terms of any loan that is made under this subdivision may be changed only if the change is approved by the fiscal body of the unit that established the development authority. As used in this subdivision, "military base" has the meaning set forth in IC 36-1-4-20."

Page 33, delete lines 39 through 42.

Page 34, delete line 1.

(Reference is to SB 260 as printed January 17, 2014.)

SMITH

Motion prevailed. The bill was ordered engrossed.

*Senator Broden, who had been excused, was present.*

Senate Bill 262

Senator Hershman called up Senate Bill 262 for second

reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 262-1)

Madam President: I move that Senate Bill 262 be amended to read as follows:

Page 3, delete lines 40 through 42.

Page 4, delete lines 1 through 17.

Page 4, line 18, delete "6." and insert "5."

Page 4, line 22, delete "7." and insert "6."

Page 4, line 29, delete "8." and insert "7."

(Reference is to SB 262 as printed January 24, 2014.)

BOOTS

Upon request of Senator Boots the President ordered the roll of the Senate to be called. Roll Call 47: yeas 10, nays 37.

Motion failed. The bill was ordered engrossed.

**Senate Bill 273**

Senator Buck called up Senate Bill 273 for second reading. The bill was reread a second time by title.

SENATE MOTION  
(Amendment 273-1)

Madam President: I move that Senate Bill 273 be amended to read as follows:

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

"SECTION 1. IC 36-4-3-11, AS AMENDED BY P.L.111-2005, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 11. (a) Except as provided in section 5.1(i) of this chapter and subsections (d) and (e), whenever territory is annexed by a municipality under this chapter, the annexation may be appealed by filing with the circuit or superior court of a county in which the annexed territory is located a written remonstrance signed by:

(1) at least sixty-five percent (65%) of the owners of land in the annexed territory; or

(2) the owners of more than seventy-five percent (75%) in assessed valuation of the land in the annexed territory.

The remonstrance must be filed within ninety (90) days after the publication of the annexation ordinance under section 7 of this chapter, must be accompanied by a copy of that ordinance, and must state the reason why the annexation should not take place.

**The remonstrance may specify the person or persons who have been appointed by the remonstrators for purposes of section 21.5(c)(2)(B) of this chapter. The remonstrance may be amended as necessary if there is a change in the person or persons who have been appointed by the remonstrators for purposes of section 21.5(c)(2)(B) of this chapter.**

(b) On receipt of the remonstrance, the court shall determine whether the remonstrance has the necessary signatures. In determining the total number of landowners of the annexed territory and whether signers of the remonstrance are landowners,

the names appearing on the tax duplicate for that territory constitute prima facie evidence of ownership. Only one (1) person having an interest in each single property, as evidenced by the tax duplicate, is considered a landowner for purposes of this section.

(c) If the court determines that the remonstrance is sufficient, it shall fix a time, within sixty (60) days of its determination, for a hearing on the remonstrance. Notice of the proceedings, in the form of a summons, shall be served on the annexing municipality. The municipality is the defendant in the cause and shall appear and answer.

(d) If an annexation is initiated by property owners under section 5.1 of this chapter and all property owners within the area to be annexed petition the municipality to be annexed, a remonstrance to the annexation may not be filed under this section.

(e) This subsection applies if:

(1) the territory to be annexed consists of not more than one hundred (100) parcels; and

(2) eighty percent (80%) of the boundary of the territory proposed to be annexed is contiguous to the municipality.

An annexation may be appealed by filing with the circuit or superior court of a county in which the annexed territory is located a written remonstrance signed by at least seventy-five percent (75%) of the owners of land in the annexed territory as determined under subsection (b)."

Page 1, line 4, after "2014." insert "**This section does not apply to a contract under IC 36-9-22.**"

Page 2, delete lines 8 through 9, begin a new line double block indented and insert:

**"(B) at least two (2) representatives of the owners of real property who are parties to the agreement, including at least one (1) representative who:**

**(i) is appointed from among the owners of real property who are parties to the agreement; and**

**(ii) is named as a representative in the remonstrance as provided in section 11(a) of this chapter or is otherwise named as a representative in a petition or motion filed with the court."**

Renumber all SECTIONS consecutively.

(Reference is to SB 273 as printed January 17, 2014.)

BUCK

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 285**

Senator Grooms called up Senate Bill 285 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 291**

Senator Waterman called up Senate Bill 291 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 305**

Senator Merritt called up Senate Bill 305 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 306**

Senator Becker called up Senate Bill 306 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 311**

Senator Head called up Senate Bill 311 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 326**

Senator Smith called up Senate Bill 326 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 326-1)

Madam President: I move that Senate Bill 326 be amended to read as follows:

Page 2, line 7, delete "department" and insert "state board". (Reference is to SB 326 as printed January 24, 2014.)

SMITH

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 330**

Senator Boots called up Senate Bill 330 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 331**

Senator Glick called up Senate Bill 331 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 331-1)

Madam President: I move that Senate Bill 331 be amended to read as follows:

Page 2, after line 35, begin a new paragraph and insert:

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

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

(A) completes courses that:

- (A) (i) are part of the individual's military service;
- (B) (ii) meet the standards of the American Council

on Education, or the council's successor organization, for awarding academic credit; and

(C) (iii) meet the state educational institution's role, scope, and mission;

**(B) completes:**

(i) a College-Level Examination Program (CLEP) developed by the College Board;

(ii) a United States Department of Defense's Defense Activity for Non-Traditional Education Support Program examination; or

(iii) an Excelsior College Examination;

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

(C) completes courses at a postsecondary educational institution accredited by a regional accrediting agency or association:

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

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

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

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

Renumber all SECTIONS consecutively.  
(Reference is to SB 331 as printed January 24, 2014.)

BANKS

Motion prevailed.

SENATE MOTION  
(Amendment 331-2)

Madam President: I move that Senate Bill 331 be amended to read as follows:

- Page 2, delete lines 12 through 16.
  - Page 2, line 17, delete "(5)" and insert "(3)".
  - Page 2, line 20, delete "(6)" and insert "(4)".
  - Page 2, delete lines 28 through 33.
  - Page 2, line 34, delete "7." and insert "6."
- (Reference is to SB 331 as printed January 24, 2014.)

GLICK

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 339**

Senator Merritt called up Senate Bill 339 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 352**

Senator Paul called up Senate Bill 352 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 353**

Senator Paul called up Senate Bill 353 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 354**

Senator Paul called up Senate Bill 354 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 363**

Senator Mishler called up Senate Bill 363 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 393**

Senator Waterman called up Senate Bill 393 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 406**

Senator Mishler called up Senate Bill 406 for second reading. The bill was read a second time by title. There being no

amendments, the bill was ordered engrossed.

**Senate Bill 53**

Senator Zakas called up Senate Bill 53 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 151, which is eligible for third reading, be returned to second reading for purposes of amendment.

ZAKAS

Motion prevailed.

**ENGROSSED SENATE BILLS  
ON THIRD READING**

**Engrossed Senate Bill 4**

Senator Steele called up Engrossed Senate Bill 4 for third reading:

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

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

Roll Call 48: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Frye and Heaton.

SENATE MOTION

Madam President: I move that Senator Broden be removed as coauthor of Senate Bill 53.

BRODEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as second author of Senate Bill 53.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 222, which is eligible for third reading, be returned to second reading for purposes of amendment.

HOLDMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Pete Miller be added as coauthor of Senate Bill 205.

BANKS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Steele be added as third author of Senate Bill 305.

MERRITT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Kruse be added as second author and Senator Taylor be added as third author of Senate Bill 114.

LEISING

Motion prevailed.

## SENATE MOTION

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

LEISING

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Hershman be added as second author and Senator Holdman be added as third author of Senate Bill 260.

BANKS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Arnold be added as second author of Senate Bill 238.

WYSS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author of Senate Bill 183.

YODER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 419.

PETE MILLER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author and Senator Arnold be added as third author of Senate Bill 85.

PETE MILLER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Alting be added as coauthor of Senate Bill 176.

KRUSE

Motion prevailed.

## SENATE MOTION

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

WYSS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 291.

WATERMAN

Motion prevailed.

## SENATE MOTION

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

BECKER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Engrossed Senate Bill 4.

STEELE

Motion prevailed.



SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 312.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 227.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 41.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 384.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 254.

ARNOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 339.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 138.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 305.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 227.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 422.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kenley be added as second author of Senate Bill 367.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 340.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Eckerty be added as second author of Senate Bill 349.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as second author of Senate Bill 339.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as second author and Senator Randolph be added as third author of Senate Bill 359.

CHARBONNEAU

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Tomes be added as third author of Senate Bill 306.

BECKER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Alting be added as second author of Senate Bill 305.

MERRITT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Alting, Arnold, Banks, Becker, Boots, Bray, Breaux, Broden, Buck, Charbonneau, Crider, Delph, Eckerty, Glick, Grooms, Head, Hershman, Holdman, Hume, Kenley, Kruse, Lanane, Landske, Leising, Long, Patricia Miller, Pete Miller, Mishler, Mrvan, Nugent, Paul, Randolph, Rogers, Schneider, Skinner, Smith, Steele, Stoops, Tallian, Taylor, Tomes, Walker, Waltz, Waterman, Wyss, Yoder, M. Young, R. Young, and Zakas be added as cosponsors of House Concurrent Resolution 15.

MERRITT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Engrossed Senate Bill 117.

M. YOUNG

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Taylor be added as coauthor of Senate Bill 222.

HOLDMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator M. Young be added as second author of Engrossed Senate Bill 209.

WALKER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Lanane and R. Young be added as coauthors of Senate Bill 351.

PAUL

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Lanane and R. Young be added as coauthors of Senate Bill 352.

PAUL

Motion prevailed.

## SENATE MOTION

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

PAUL

Motion prevailed.

## SENATE MOTION

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

PAUL

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Buck be added as second author of Senate Bill 234.

KRUSE

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Hershman be added as third author of Engrossed Senate Bill 3.

STEELE

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Buck be added as second author and Senator Kruse be added as third author of Senate Bill 330.

BOOTS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 118.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as coauthor of Senate Bill 229.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as second author of Senate Bill 271.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Landske be added as coauthor of Senate Bill 1.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as coauthor of Senate Bill 163.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as third author and Senator Breaux be added as coauthor of Senate Bill 271.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, January 28, 2014.

LONG

Motion prevailed.

The Senate adjourned at 4:00 p.m.

JENNIFER L. MERTZ  
Secretary of the Senate

SUE ELLSPERMANN  
President of the Senate