

Adopted	Rejected
---------	----------

COMMITTEE REPORT

YES:	14
NO:	0

MR. SPEAKER:

*Your Committee on Insurance, Corporations and Small Business, to which was referred House Bill 1286, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 3, line 3, delete "commercially available".
- 2 Page 3, line 4, after "used" insert "**or created**".
- 3 Page 3, line 8, delete "widely recognized as being".
- 4 Page 4, line 13, delete "by the department".
- 5 Page 4, line 14, delete "The surcharge".
- 6 Page 4, delete lines 15 through 16.
- 7 Page 4, line 17, delete "the department under subsection (h)".
- 8 Page 4, delete lines 25 through 42.
- 9 Page 5, delete lines 1 through 25.
- 10 Page 5, line 28, reset in roman "as considered necessary".
- 11 Page 5, line 29, reset in roman line 29.
- 12 Page 5, line 29, after "purchase" insert "**or retain**".
- 13 Page 5, line 30, reset in roman "and corporations to aid in
- 14 protecting".

- 1 Page 5, line 30, delete "shall pay an attorney who is".
- 2 Page 5, line 31, delete "licensed to practice law in Indiana to
3 protect".
- 4 Page 5, line 31, after "claims" insert ".".
- 5 Page 5, delete lines 32 through 42, begin a new paragraph and
6 insert:
- 7 **"(b) When retaining legal services under subsection (a), the**
8 **commissioner shall retain competent and experienced legal counsel**
9 **licensed to practice law in Indiana to assist in litigation or other**
10 **matters pertaining to the fund."**
- 11 Page 6 , delete lines 1 through 2.
- 12 Page 6, line 3, delete "(b)" and insert "(c)".
- 13 Page 6, line 9, delete "(c)" and insert "(d)".
- 14 Page 6, line 18, delete "any".
- 15 Page 6, line 21, after "except" insert "**setting a date for trial, an**
16 **action under IC 27-12-8-8, or"**.
- 17 Page 6, line 25, delete "JULY" and insert " UPON PASSAGE]".
- 18 Page 6, line 26, delete "1, 1998]".
- 19 Page 6, line 26, delete "(a) Beginning July 1, 1999, if" and insert
20 **"If"**.
- 21 Page 6, delete lines 31 through 42, begin a new line blocked left
22 and insert: **"may file a motion in Marion County Circuit Court to**
23 **dismiss the case under Rule 41(E) of the Indiana Rules of Trial**
24 **Procedure."**
- 25 Delete page 7.
- 26 Page 8, delete lines 1 through 21.
- 27 Page 10, delete lines 26 through 30.
- 28 Page 10, line 31, delete "The actuary" and insert "**After the**
29 **department"**.
- 30 Page 10, line 32, delete "that".
- 31 Page 10, line 33, after "act," insert "**the department"**.
- 32 Page 10, line 33, delete "provide" and insert "**publish in the**
33 **Indiana Register"**.
- 34 Page 10, line 35, delete "to the department of insurance not later
35 than" and insert ".".
- 36 Page 10, delete line 36.
- 37 Page 10, line 37, delete "mail" and insert "**publish"** .
- 38 Page 10, line 38, delete "to each licensed physician" and insert "**in**

- 1 **the Indiana Register".**
- 2 Page 10, line 39, delete "March" and insert "**February**".
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1286 as introduced.)

and when so amended that said bill do pass.

Representative Fry