

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Judiciary, to which was referred Senate Bill No. 67, 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:

- 1 Page 1, delete line 12.
- 2 Page 1, line 13, delete "(4)" and insert "(3)".
- 3 Page 1, line 13, delete "filing" and insert "mail".
- 4 Page 1, line 14, delete "(5)" and insert "(4)".
- 5 Page 1, line 14, delete "Court" and insert "Trial Procedure".
- 6 Page 1, line 17, delete "6," and insert "or 6".
- 7 Page 2, line 1, delete "or 8".
- 8 Page 2, between lines 3 and 4, begin a new line block indented and
- 9 insert:
- 10 "**(3) A complaint under section 8 of this chapter.**".
- 11 Page 3, line 35, delete "otherwise agreed by the parties" and insert
- 12 "**waived or extended with the written consent of all parties or for**
- 13 **good cause shown**".
- 14 Page 3, line 36, delete ":".
- 15 Page 3, line 37, delete "(A)".
- 16 Page 3, line 37, delete "thirty (30)" and insert "**ninety (90)**".
- 17 Page 3, line 37, delete "submission of all" and insert "**the latest of:**
- 18 **(A) the filing of a motion to dismiss or a motion for**
- 19 **summary judgment under section 23 of this chapter that is**
- 20 **filed after June 30, 2011;**

1 **(B) the conclusion of a hearing that begins after June 30,**
 2 **2011; or**

3 **(C) the completion of any schedule set for briefing or for**
 4 **submittal of proposed findings of fact and conclusions of**
 5 **law for a disposition under clauses (A) or (B); or".**

6 Page 3, run in lines 36 through 37.

7 Page 3, delete lines 38 through 42.

8 Page 4, delete lines 1 through 5.

9 Page 4, line 9, after "(b)" insert "**This subsection does not apply to**
 10 **a proceeding concerning a regulated occupation (as defined in**
 11 **IC 25-1-7-1), except for a proceeding concerning a water well**
 12 **driller (as described in IC 25-39-3) or an out of state mobile health**
 13 **care entity regulated by the state department of health."**

14 Page 4, line 11, after "of" insert ":

15 **(1) IC 4-21.5-7-6, if the case is pending in the office of**
 16 **environmental adjudication;**

17 **(2) IC 14-10-2-2, if the case is pending before the division of**
 18 **hearings of the natural resources commission; or**

19 **(3) any other statute or rule governing qualification to serve**
 20 **an agency other than those described in subdivision (1) or**
 21 **(2)."**

22 Page 4, line 12, delete "IC 4-21.5-7-6."

23 Page 4, line 12, block left beginning with "Subject".

24 Page 4, line 18, delete "IC 4-21.5-7-6" and insert "**subsection (b)**".

25 Page 6, line 37, after "(d)" insert "**This subsection does not apply**
 26 **to a proceeding concerning a regulated occupation (as defined in**
 27 **IC 25-1-7-1), except for a proceeding concerning a water well**
 28 **driller (as described in IC 25-39-3) or an out of state mobile health**
 29 **care entity regulated by the state department of health."**

30 Page 6, line 38, delete "administrative law judge" and insert

1 **"ultimate authority or its designee".**

2 Page 7, line 9, after "chapter" insert **"concerning permit**
3 **modification under subsection (e)".**

(Reference is to SB 67 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 8, Nays 0.

Senator Bray, Chairperson