

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1072 be amended to read as follows:

- 1           Page 2, between lines 33 and 34, begin a new paragraph and insert:  
2           "SECTION 3. IC 4-33-6-1, AS AMENDED BY P.L.233-2007,  
3           SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           APRIL 1, 2012]: Sec. 1. (a) The commission may issue to a person a  
5           license to own a riverboat subject to the numerical and geographical  
6           limitation of owner's licenses under this section, section 3.5 of this  
7           chapter, and IC 4-33-4-17. However, not more than ten (10) owner's  
8           licenses may be in effect at any time. Except as provided in subsection  
9           (b), those ten (10) licenses are as follows:  
10           (1) Two (2) licenses for a riverboat that operates from the ~~largest~~  
11           city ~~located in the counties described under IC 4-33-1-1(1).~~ **of**  
12           **Gary.**  
13           (2) One (1) license for a riverboat that operates from the ~~second~~  
14           ~~largest city located in the counties described under~~  
15           ~~IC 4-33-1-1(1).~~ **of Hammond.**  
16           (3) One (1) license for a riverboat that operates from the ~~third~~  
17           ~~largest city located in the counties described under~~  
18           ~~IC 4-33-1-1(1).~~ **of East Chicago.**  
19           (4) One (1) license for a city located in the counties described  
20           under IC 4-33-1-1(1). This license may not be issued to a city  
21           described in subdivisions (1) through (3).  
22           (5) A total of five (5) licenses for riverboats that operate upon the  
23           Ohio River from the following counties:  
24           (A) Vanderburgh County.  
25           (B) Harrison County.  
26           (C) Switzerland County.  
27           (D) Ohio County.  
28           (E) Dearborn County.  
29           The commission may not issue a license to an applicant if the  
30           issuance of the license would result in more than one (1) riverboat

- 1 operating from a county described in this subdivision.
- 2 (b) If a city described in subsection (a)(2) or (a)(3) conducts two (2)
- 3 elections under section 20 of this chapter, and the voters of the city do
- 4 not vote in favor of permitting riverboat gambling at either of those
- 5 elections, the license assigned to that city under subsection (a)(2) or
- 6 (a)(3) may be issued to any city that:
- 7 (1) does not already have a riverboat operating from the city; and
- 8 (2) is located in a county described in IC 4-33-1-1(1).
- 9 (c) In addition to its power to issue owner's licenses under
- 10 subsection (a), the commission may also enter into a contract under
- 11 IC 4-33-6.5 with respect to the operation of one (1) riverboat on behalf
- 12 of the commission in a historic hotel district.
- 13 (d) A person holding an owner's license may not move the person's
- 14 riverboat from the county in which the riverboat was docked on
- 15 January 1, 2007, to any other county."
- 16 Page 3, line 27, after "department" delete "." and insert ", **unless the**
- 17 **department has granted a waiver under subsection (d).**
- 18 (d) **The department may for good cause grant a waiver to the**
- 19 **requirement under subsection (c) and approve an appropriation or**
- 20 **a property tax levy, notwithstanding a political subdivision's**
- 21 **failure to submit a required debt issuance report."**
- 22 Page 4, line 19, after "department" delete "." and insert ", **unless the**
- 23 **department has granted a waiver under subsection (d).**
- 24 (d) **The department may for good cause grant a waiver to the**
- 25 **requirement under subsection (c) and approve an appropriation or**
- 26 **a property tax levy, notwithstanding a political subdivision's**
- 27 **failure to submit a required debt issuance report."**
- 28 Page 23, line 40, after "chapter." insert "**to the county fiscal body**
- 29 **in the manner prescribed by the department of local government**
- 30 **finance before September 2 of a year."**
- 31 Page 37, line 6, delete "weighing, sorting, grading, separating,".
- 32 Page 37, line 9, delete "supplies,".
- 33 Page 37, line 11, after "for" insert "**direct**".
- 34 Page 37, line 20, after "for" insert "**direct**".
- 35 Page 69, line 1, delete "2009-2012," and insert "**1009-2012**".
- 36 Page 137, between lines 29 and 30, begin a new paragraph and
- 37 insert:
- 38 "SECTION 96. IC 6-9-2-2, AS AMENDED BY SEA 115-2012,
- 39 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 40 APRIL 1, 2012]: Sec. 2. (a) The revenue received by the county
- 41 treasurer under this chapter shall be allocated to the Lake County
- 42 convention and visitor bureau, Indiana University-Northwest, Purdue
- 43 University-Calumet, municipal public safety departments, municipal
- 44 physical and economic development divisions, and the cities and towns
- 45 in the county as provided in this section. Subsections (b) through (g) do
- 46 not apply to the distribution of revenue received under section 1 of this

1 chapter from hotels, motels, inns, tourist camps, tourist cabins, and  
 2 other lodgings or accommodations built or refurbished after June 30,  
 3 1993, that are located in the ~~largest city of the county~~ **Gary**.

4 (b) The Lake County convention and visitor bureau shall establish  
 5 a convention, tourism, and visitor promotion fund (referred to in this  
 6 chapter as the "promotion fund"). The county treasurer shall transfer to  
 7 the Lake County convention and visitor bureau for deposit in the  
 8 promotion fund thirty-five percent (35%) of the first one million two  
 9 hundred thousand dollars (\$1,200,000) of revenue received from the  
 10 tax imposed under this chapter in each year. The promotion fund  
 11 consists of:

- 12 (1) money in the promotion fund on June 30, 2005;
- 13 (2) revenue deposited in the promotion fund under this subsection  
 14 after June 30, 2005; and
- 15 (3) investment income earned on the promotion fund's assets.

16 Money in the funds established by the bureau may be expended to  
 17 promote and encourage conventions, trade shows, special events,  
 18 recreation, and visitors. Money may be paid from the funds established  
 19 by the bureau, by claim in the same manner as municipalities may pay  
 20 claims under IC 5-11-10-1.6.

21 (c) This subsection applies to the first one million two hundred  
 22 thousand dollars (\$1,200,000) of revenue received from the tax  
 23 imposed under this chapter in each year. During each year, the county  
 24 treasurer shall transfer to Indiana University-Northwest forty-four and  
 25 thirty-three hundredths percent (44.33%) of the revenue received under  
 26 this chapter for that year to be used as follows:

- 27 (1) Seventy-five percent (75%) of the revenue received under this  
 28 subsection may be used only for the university's medical  
 29 education programs.
- 30 (2) Twenty-five percent (25%) of the revenue received under this  
 31 subsection may be used only for the university's allied health  
 32 education programs.

33 (d) This subsection applies to the first one million two hundred  
 34 thousand dollars (\$1,200,000) of revenue received from the tax  
 35 imposed under this chapter in each year. During each year, the county  
 36 treasurer shall allocate among the cities and towns throughout the  
 37 county nine percent (9%) of the revenue received under this chapter for  
 38 that year as follows:

- 39 (1) Ten percent (10%) of the revenue covered by this subsection  
 40 shall be distributed to cities having a population of more than  
 41 eighty thousand (80,000) but less than eighty thousand four  
 42 hundred (80,400).
- 43 (2) Ten percent (10%) of the revenue covered by this subsection  
 44 shall be distributed to cities having a population of more than  
 45 eighty thousand five hundred (80,500) but less than one hundred  
 46 thousand (100,000).

1 (3) Ten percent (10%) of the revenue covered by this subsection  
 2 shall be distributed to cities having a population of more than  
 3 twenty-nine thousand six hundred (29,600) but less than  
 4 twenty-nine thousand nine hundred (29,900).

5 (4) Seventy percent (70%) of the revenue covered by this  
 6 subsection shall be distributed in equal amounts to each town and  
 7 each city not receiving a distribution under subdivisions (1)  
 8 through (3).

9 The money distributed under this subsection may be used only for  
 10 tourism and economic development projects. The county treasurer shall  
 11 make the distributions on or before December 1 of each year.

12 (e) This subsection applies to the first one million two hundred  
 13 thousand dollars (\$1,200,000) of revenue received from the tax  
 14 imposed under this chapter in each year. During each year, the county  
 15 treasurer shall transfer to Purdue University-Calumet nine percent (9%)  
 16 of the revenue received under this chapter for that year. The money  
 17 received by Purdue University-Calumet may be used by the university  
 18 only for nursing education programs.

19 (f) This subsection applies to the first one million two hundred  
 20 thousand dollars (\$1,200,000) of revenue received from the tax  
 21 imposed under this chapter in each year. During each year, the county  
 22 treasurer shall transfer two and sixty-seven hundredths percent (2.67%)  
 23 of the revenue received under this chapter for that year to the following  
 24 cities:

25 (1) Fifty percent (50%) of the revenue covered by this subsection  
 26 shall be transferred to cities having a population of more than  
 27 eighty thousand (80,000) but less than eighty thousand four  
 28 hundred (80,400).

29 (2) Fifty percent (50%) of the revenue covered by this subsection  
 30 shall be transferred to cities having a population of more than  
 31 eighty thousand five hundred (80,500) but less than one hundred  
 32 thousand (100,000).

33 Money transferred under this subsection may be used only for  
 34 convention facilities located within the city. In addition, the money may  
 35 be used only for facility marketing, sales, and public relations  
 36 programs. Money transferred under this subsection may not be used for  
 37 salaries, facility operating costs, or capital expenditures related to the  
 38 convention facilities. The county treasurer shall make the transfers on  
 39 or before December 1 of each year.

40 (g) This subsection applies to the revenue received from the tax  
 41 imposed under this chapter in each year that exceeds one million two  
 42 hundred thousand dollars (\$1,200,000). During each year, the county  
 43 treasurer shall distribute money in the promotion fund as follows:

44 (1) Eighty-five percent (85%) of the revenue covered by this  
 45 subsection shall be deposited in the convention, tourism, and  
 46 visitor promotion fund. The money deposited in the fund under

- 1 this subdivision may be used only for the purposes for which  
 2 other money in the fund may be used.
- 3 (2) Five percent (5%) of the revenue covered by this subsection  
 4 shall be transferred to Purdue University-Calumet. The money  
 5 received by Purdue University-Calumet under this subdivision  
 6 may be used by the university only for nursing education  
 7 programs.
- 8 (3) Five percent (5%) of the revenue covered by this subsection  
 9 shall be transferred to Indiana University-Northwest. The money  
 10 received by Indiana University-Northwest under this subdivision  
 11 may be used only for the university's medical education programs.
- 12 (4) Five percent (5%) of the revenue covered by this subsection  
 13 shall be transferred to Indiana University-Northwest. The money  
 14 received by Indiana University-Northwest under this subdivision  
 15 may be used only for the university's allied health education  
 16 programs.
- 17 (h) This subsection applies only to the distribution of revenue  
 18 received from the tax imposed under section 1 of this chapter from  
 19 hotels, motels, inns, tourist camps, tourist cabins, and other lodgings or  
 20 accommodations built or refurbished after June 30, 1993, that are  
 21 located in the ~~largest city of the county:~~ **Gary**. During each year, the  
 22 county treasurer shall transfer:
- 23 (1) seventy-five percent (75%) of the revenues under this  
 24 subsection to the department of public safety; and
- 25 (2) twenty-five percent (25%) of the revenues under this  
 26 subsection to the division of physical and economic development;  
 27 of the ~~largest city of the county:~~ **Gary**.
- 28 (i) The Lake County convention and visitor bureau shall assist the  
 29 county treasurer, as needed, with the calculation of the amounts that  
 30 must be deposited and transferred under this section."
- 31 Page 142, delete lines 9 through 27.  
 32 Renumber all SECTIONS consecutively.  
 (Reference is to EHB 1072 as printed February 24, 2012.)

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Senator HERSHMAN