

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 69, line 1, delete "2009-2012," and insert "**1009-2012,"**
- 32 Page 137, between lines 29 and 30, begin a new paragraph and
- 33 insert:
- 34 "SECTION 96. IC 6-9-2-2, AS AMENDED BY SEA 115-2012,
- 35 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36 APRIL 1, 2012]: Sec. 2. (a) The revenue received by the county
- 37 treasurer under this chapter shall be allocated to the Lake County
- 38 convention and visitor bureau, Indiana University-Northwest, Purdue
- 39 University-Calumet, municipal public safety departments, municipal
- 40 physical and economic development divisions, and the cities and towns
- 41 in the county as provided in this section. Subsections (b) through (g) do
- 42 not apply to the distribution of revenue received under section 1 of this
- 43 chapter from hotels, motels, inns, tourist camps, tourist cabins, and
- 44 other lodgings or accommodations built or refurbished after June 30,
- 45 1993, that are located in the ~~largest city of the county:~~ **Gary.**
- 46 (b) The Lake County convention and visitor bureau shall establish

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

- 8 (1) money in the promotion fund on June 30, 2005;
- 9 (2) revenue deposited in the promotion fund under this subsection
10 after June 30, 2005; and
- 11 (3) investment income earned on the promotion fund's assets.

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

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

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

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

- 35 (1) Ten percent (10%) of the revenue covered by this subsection
36 shall be distributed to cities having a population of more than
37 eighty thousand (80,000) but less than eighty thousand four
38 hundred (80,400).
- 39 (2) 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 five hundred (80,500) but less than one hundred
42 thousand (100,000).
- 43 (3) Ten percent (10%) of the revenue covered by this subsection
44 shall be distributed to cities having a population of more than
45 twenty-nine thousand six hundred (29,600) but less than
46 twenty-nine thousand nine hundred (29,900).

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

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

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

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

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

25 (2) 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 five hundred (80,500) but less than one hundred
28 thousand (100,000).

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

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

40 (1) Eighty-five percent (85%) of the revenue covered by this
41 subsection shall be deposited in the convention, tourism, and
42 visitor promotion fund. The money deposited in the fund under
43 this subdivision may be used only for the purposes for which
44 other money in the fund may be used.

45 (2) Five percent (5%) of the revenue covered by this subsection
46 shall be transferred to Purdue University-Calumet. The money

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

Senator HERSHMAN