

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
23 the 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)
31 riverboat operating from a county described in this subdivision.
32 (b) If a city described in subsection (a)(2) or (a)(3) conducts two
33 (2) elections under section 20 of this chapter, and the voters of the city
34 do not vote in favor of permitting riverboat gambling at either of those
35 elections, the license assigned to that city under subsection (a)(2) or
36 (a)(3) may be issued to any city that:
37 (1) does not already have a riverboat operating from the city; and

1 (2) is located in a county described in IC 4-33-1-1(1).
2 (c) In addition to its power to issue owner's licenses under
3 subsection (a), the commission may also enter into a contract under
4 IC 4-33-6.5 with respect to the operation of one (1) riverboat on behalf
5 of the commission in a historic hotel district.
6 (d) A person holding an owner's license may not move the person's
7 riverboat from the county in which the riverboat was docked on
8 January 1, 2007, to any other county."
9 Page 3, line 27, after "department" delete "." and insert ", **unless**
10 **the department has granted a waiver under subsection (d).**
11 **(d) The department may for good cause grant a waiver to the**
12 **requirement under subsection (c) and approve an appropriation or**
13 **a property tax levy, notwithstanding a political subdivision's**
14 **failure to submit a required debt issuance report."**
15 Page 4, line 19, after "department" delete "." and insert ", **unless**
16 **the department has granted a waiver under subsection (d).**
17 **(d) The department may for good cause grant a waiver to the**
18 **requirement under subsection (c) and approve an appropriation or**
19 **a property tax levy, notwithstanding a political subdivision's**
20 **failure to submit a required debt issuance report."**
21 Page 23, line 40, after "chapter." insert "**to the county fiscal body**
22 **in the manner prescribed by the department of local government**
23 **finance before September 2 of a year."**
24 Page 69, line 1, delete "2009-2012," and insert "**1009-2012**,"
25 Page 137, between lines 29 and 30, begin a new paragraph and
26 insert:
27 "SECTION 96. IC 6-9-2-2, AS AMENDED BY SEA 115-2012,
28 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 APRIL 1, 2012]: Sec. 2. (a) The revenue received by the county
30 treasurer under this chapter shall be allocated to the Lake County
31 convention and visitor bureau, Indiana University-Northwest, Purdue
32 University-Calumet, municipal public safety departments, municipal
33 physical and economic development divisions, and the cities and towns
34 in the county as provided in this section. Subsections (b) through (g) do
35 not apply to the distribution of revenue received under section 1 of this
36 chapter from hotels, motels, inns, tourist camps, tourist cabins, and
37 other lodgings or accommodations built or refurbished after June 30,
38 1993, that are located in the ~~largest city of the county.~~ **Gary.**
39 (b) The Lake County convention and visitor bureau shall establish
40 a convention, tourism, and visitor promotion fund (referred to in this
41 chapter as the "promotion fund"). The county treasurer shall transfer to
42 the Lake County convention and visitor bureau for deposit in the
43 promotion fund thirty-five percent (35%) of the first one million two
44 hundred thousand dollars (\$1,200,000) of revenue received from the
45 tax imposed under this chapter in each year. The promotion fund
46 consists of:
47 (1) money in the promotion fund on June 30, 2005;
48 (2) revenue deposited in the promotion fund under this
49 subsection after June 30, 2005; and
50 (3) investment income earned on the promotion fund's assets.
51 Money in the funds established by the bureau may be expended to

1 promote and encourage conventions, trade shows, special events,
 2 recreation, and visitors. Money may be paid from the funds established
 3 by the bureau, by claim in the same manner as municipalities may pay
 4 claims under IC 5-11-10-1.6.

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

11 (1) Seventy-five percent (75%) of the revenue received under
 12 this subsection may be used only for the university's medical
 13 education programs.

14 (2) Twenty-five percent (25%) of the revenue received under this
 15 subsection may be used only for the university's allied health
 16 education programs.

17 (d) 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 allocate among the cities and towns throughout the
 21 county nine percent (9%) of the revenue received under this chapter for
 22 that year as follows:

23 (1) Ten percent (10%) of the revenue covered by this subsection
 24 shall be distributed to cities having a population of more than
 25 eighty thousand (80,000) but less than eighty thousand four
 26 hundred (80,400).

27 (2) Ten percent (10%) of the revenue covered by this subsection
 28 shall be distributed to cities having a population of more than
 29 eighty thousand five hundred (80,500) but less than one hundred
 30 thousand (100,000).

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

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

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

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

49 (f) This subsection applies to the first one million two hundred
 50 thousand dollars (\$1,200,000) of revenue received from the tax

1 imposed under this chapter in each year. During each year, the county
 2 treasurer shall transfer two and sixty-seven hundredths percent (2.67%)
 3 of the revenue received under this chapter for that year to the following
 4 cities:

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

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

13 Money transferred under this subsection may be used only for
 14 convention facilities located within the city. In addition, the money may
 15 be used only for facility marketing, sales, and public relations
 16 programs. Money transferred under this subsection may not be used for
 17 salaries, facility operating costs, or capital expenditures related to the
 18 convention facilities. The county treasurer shall make the transfers on
 19 or before December 1 of each year.

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

24 (1) Eighty-five percent (85%) of the revenue covered by this
 25 subsection shall be deposited in the convention, tourism, and
 26 visitor promotion fund. The money deposited in the fund under
 27 this subdivision may be used only for the purposes for which
 28 other money in the fund may be used.

29 (2) Five percent (5%) of the revenue covered by this subsection
 30 shall be transferred to Purdue University-Calumet. The money
 31 received by Purdue University-Calumet under this subdivision
 32 may be used by the university only for nursing education
 33 programs.

34 (3) Five percent (5%) of the revenue covered by this subsection
 35 shall be transferred to Indiana University-Northwest. The money
 36 received by Indiana University-Northwest under this subdivision
 37 may be used only for the university's medical education
 38 programs.

39 (4) Five percent (5%) of the revenue covered by this subsection
 40 shall be transferred to Indiana University-Northwest. The money
 41 received by Indiana University-Northwest under this subdivision
 42 may be used only for the university's allied health education
 43 programs.

44 (h) This subsection applies only to the distribution of revenue
 45 received from the tax imposed under section 1 of this chapter from
 46 hotels, motels, inns, tourist camps, tourist cabins, and other lodgings or
 47 accommodations built or refurbished after June 30, 1993, that are
 48 located in the largest city of the county. **Gary**. During each year, the
 49 county treasurer shall transfer:

1 (1) seventy-five percent (75%) of the revenues under this
2 subsection to the department of public safety; and
3 (2) twenty-five percent (25%) of the revenues under this
4 subsection to the division of physical and economic
5 development;
6 of the ~~largest city of the county:~~ **Gary.**
7 (i) The Lake County convention and visitor bureau shall assist the
8 county treasurer, as needed, with the calculation of the amounts that
9 must be deposited and transferred under this section."
10 Page 142, delete lines 9 through 27.
11 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1072 as printed February 24, 2012.)

Senator MERRITT