



March 19, 1999

ENGROSSED HOUSE BILL No. 1458

DIGEST OF HB1458 (Updated March 17, 1999 3:46 pm - DI 47)

Citations Affected: IC 6-9; noncode.

Synopsis: Vanderburgh County innkeeper's tax. Requires the Vanderburgh County treasurer to establish a convention center operating fund. Requires the treasurer to deposit in the fund the amount of innkeeper's tax that is generated by a 1% rate. Provides that money in the fund must be expended for the operating expenses of a convention center. Provides that the fund expires January 1, 2006. Provides that for the period beginning January 1, 2000 and ending December 31, 2005, the county treasurer shall deposit in the tourism
(Continued next page)

Effective: July 1, 1999; January 1, 2000.

Avery, Becker, Hasler, Weinzapfel

(SENATE SPONSORS — SERVER, LUTZ L)

January 19, 1999, read first time and referred to Committee on Ways and Means.
February 24, 1999, reported — Do Pass.
March 4, 1999, read second time, amended, ordered engrossed.
March 5, 1999, engrossed.
March 8, 1999, read third time, passed. Yeas 94, nays 2.

SENATE ACTION

March 11, 1999, read first time and referred to Committee on Rules and Legislative Procedure.
March 18, 1999, amended, reported favorably — Do Pass.

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capital improvement fund the amount of innkeeper's tax that is generated by a 2% rate. Provides that after December 31, 2005, the treasurer shall deposit in the tourism capital improvement fund the amount of innkeeper's tax that is generated by a 3% rate. Provides that a structure constructed or remodeled with innkeeper's tax money in the tourism capital improvement fund or the convention and visitor promotion fund must be open for use by members of the public. Establishes the Evansville state hospital advisory commission.

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March 19, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

ENGROSSED HOUSE BILL No. 1458

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 6-9-2.5-7 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) The county
3 treasurer shall establish a convention and visitor promotion fund.
4 (b) ~~He~~ **The county treasurer** shall deposit the following in the
5 convention and visitor promotion fund:
6 **(1) Before January 1, 2000:**
7 ~~(1)~~ **(A)** All of the money received under section 6 of this
8 chapter, if the rate set under section 6 of this chapter is not
9 greater than two percent (2%).
10 ~~(2)~~ **(B)** The amount of money received under section 6 of this
11 chapter that is generated by a two percent (2%) rate, if the rate
12 set under section 6 of this chapter is at least two percent (2%).
13 **(2) After December 31, 1999, the amount of money received**
14 **under section 6 of this chapter that is generated by a two**
15 **percent (2%) rate.**
16 (c) Money in this fund shall be expended only as provided in this
17 chapter.
18 (d) The commission may transfer money in the convention and

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1 visitor promotion fund to any Indiana nonprofit corporation for the
 2 purpose of promotion and encouragement in the county of conventions,
 3 trade shows, visitors, or special events. The commission may transfer
 4 money under this section only after approving the transfer. Transfers
 5 shall be made quarterly or less frequently under this section.

6 SECTION 2. IC 6-9-2.5-7.5 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7.5. (a) The county
 8 treasurer shall establish a tourism capital improvement fund.

9 (b) **The county treasurer shall deposit money in the tourism
 10 capital improvement fund as follows:**

11 (1) **Before January 1, 2000**, if the rate set under section 6 of this
 12 chapter is greater than two percent (2%), the county treasurer
 13 shall deposit in the tourism capital improvement fund an amount
 14 equal to the money received under section 6 of this chapter minus
 15 the amount generated by a two percent (2%) rate.

16 (2) **After December 31, 1999, and before January 1, 2006, the
 17 county treasurer shall deposit in the tourism capital
 18 improvement fund the amount of money received under
 19 section 6 of this chapter that is generated by a two percent
 20 (2%) rate.**

21 (3) **After December 31, 2005, the county treasurer shall
 22 deposit in the tourism capital improvement fund the amount
 23 of money received under section 6 of this chapter that is
 24 generated by a three percent (3%) rate.**

25 (c) The commission may transfer money in the tourism capital
 26 improvement fund to:

27 (1) the county government, a city government, or a separate body
 28 corporate and politic in a county described in section 1 of this
 29 chapter; or

30 (2) any Indiana nonprofit corporation;

31 for the purpose of making capital improvements in the county that
 32 promote conventions, tourism, or recreation. The commission may
 33 transfer money under this section only after approving the transfer.
 34 Transfers shall be made quarterly or less frequently under this section.

35 SECTION 3. IC 6-9-2.5-7.7 IS ADDED TO THE INDIANA CODE
 36 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 37 JANUARY 1, 2000]: Sec. 7.7. (a) **The county treasurer shall
 38 establish a convention center operating fund.**

39 (b) **The county treasurer shall deposit in the convention center
 40 operating fund the amount of money received under section 6 of
 41 this chapter that is generated by a one percent (1%) rate. Money
 42 in the fund must be expended for the operating expenses of a**

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1 **convention center.**

2 **(c) This section expires January 1, 2006.**

3 SECTION 4. IC 6-9-2.5-9 IS ADDED TO THE INDIANA CODE
4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
5 1, 1999]: **Sec. 9. (a) This section applies to any building:**

6 **(1) constructed or remodeled with money from:**

7 **(A) the tourism capital improvement fund; or**

8 **(B) the convention and visitor promotion fund; and**

9 **(2) used by the county convention and visitor commission.**

10 **(b) A structure must be open for use by the members of the**
11 **public for public or private events, including catered events, under**
12 **uniform and nondiscriminatory policies established by the**
13 **commission.**

14 SECTION 5. [EFFECTIVE JULY 1, 1999] **(a) As used in this**
15 **SECTION, "committee" refers to the Evansville State Hospital**
16 **advisory committee established by this SECTION.**

17 **(b) As used in this SECTION, "hospital" refers to Evansville**
18 **State Hospital.**

19 **(c) The Evansville State Hospital advisory committee is**
20 **established.**

21 **(d) The committee consists of the following members:**

22 **(1) Two (2) members of the house of representatives**
23 **appointed by the speaker of the house of representatives. The**
24 **members appointed under this subdivision may not be**
25 **members of the same political party. The members under this**
26 **subdivision must be appointed so that the representative in**
27 **whose district the hospital is located must be a member of the**
28 **committee and so that the other member is a representative**
29 **whose district includes portions of Vanderburgh County.**

30 **(2) Two (2) members of the senate appointed by the president**
31 **pro tempore of the senate. The members appointed under this**
32 **subdivision may not be members of the same political party.**
33 **The members under this subdivision must be appointed so**
34 **that the senator in whose district the hospital is located must**
35 **be a member of the committee and so that the other member**
36 **is a senator whose district includes portions of Vanderburgh**
37 **County.**

38 **(3) The superintendent of the hospital. The superintendent of**
39 **the hospital may designate another individual to serve on the**
40 **committee in the absence of the superintendent.**

41 **(4) The presiding officer of the legislative body of the**
42 **municipality in which the hospital is located. The presiding**

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1 officer may designate another individual to serve on the
2 committee in the absence of the presiding officer.

3 (5) The head of the parks department of the municipality in
4 which the hospital is located. The head of the parks
5 department may designate another individual to serve on the
6 committee in the absence of the head of the parks department.

7 (6) An individual representing the Wesselman Woods Nature
8 Preserve board. The board shall notify the legislative services
9 agency and the staff of the committee of the name of the
10 individual representing the board.

11 (7) An individual representing the county convention and
12 visitor commission. The commission shall notify the legislative
13 services agency and the staff of the committee of the name of
14 the individual representing the commission.

15 (e) The chairman of the legislative council shall appoint the
16 chair of the committee. After the chair of the committee is
17 appointed, the vice-chairman of the legislative council shall appoint
18 the vice chair of the committee. The chair and the vice chair of the
19 committee may not be members of the same political party.

20 (f) The committee shall meet at the call of the chair.

21 (g) The affirmative vote of five (5) members of the committee is
22 necessary for the committee to take any action other than to hear
23 testimony or to adjourn.

24 (h) Each legislative member of the committee is entitled to
25 receive the same per diem, mileage, and travel allowances paid to
26 individuals serving as legislative members on interim study
27 committees established by the legislative council. All expenses
28 under this SECTION shall be paid from appropriations made to
29 the legislative services agency.

30 (i) The committee shall operate under policies and procedures
31 established by the legislative council. However, the division of
32 mental health established under IC 12-21 shall provide staff
33 services to the committee.

34 (j) The committee shall study proposed uses of the hospital
35 property, including proposals for construction of new hospital
36 buildings on the property.

37 (k) This subsection does not apply to a transaction or the
38 renewal of a transaction if the transaction was entered into before
39 January 1, 1999, or to a transfer specifically authorized by statute.
40 Before the state may:

41 (1) sell, lease, or transfer possession of any part of the real
42 property constituting the grounds of the hospital, or make any



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1 **determination concerning the siting of any new building or**
2 **related parking facility to be constructed on the grounds of**
3 **the hospital; or**
4 **(2) enter into an agreement or contract for any transaction**
5 **described in subdivision (1);**
6 **the governor must submit to the committee a detailed report**
7 **describing the proposed transaction and the reasons for the**
8 **proposed transaction. Upon receiving a report under this**
9 **subsection, the chair of the committee shall call a meeting of the**
10 **committee to act upon the report. The committee shall act upon the**
11 **report within sixty (60) days of submission by the governor. The**
12 **state may not proceed with the transaction until the governor**
13 **responds to the committee's recommendation.**
14 **(l) This SECTION expires January 1, 2002.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1458, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BAUER, Chair

Committee Vote: yeas 17, nays 4.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1458 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

(Reference is to HB 1458 as printed February 25, 1999.)

AVERY

CONSENT

Mr. Speaker: We consent to the strip and insert amendment concerning House Bill 1458 submitted by Representative Avery, the bill's author.

AVERY, BECKER

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COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred House Bill No. 1458, 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:

Page 4, line 10, after "agency" insert "**and the staff of the committee**".

Page 4, line 13, after "agency" insert "**and the staff of the committee**".

Page 4, line 15, delete "speaker of the house of representatives" and insert "**chairman of the legislative council**".

Page 4, line 17, delete "president pro tempore of the senate" and insert "**vice-chairman of the legislative council**".

Page 4, line 27, after "council." insert "**All expenses under this SECTION shall be paid from appropriations made to the legislative services agency.**".

Page 4, line 29, after "council." insert "**However, the division of mental health established under IC 12-21 shall provide staff services to the committee.**".

Page 4, line 35, delete "transaction" and insert "**transfer**".

Page 4, line 38, after "hospital" insert "**, or make any determination concerning the siting of any new building or related parking facility to be constructed on the grounds of the hospital**".

and when so amended that said bill do pass.

(Reference is to HB 1458 as reprinted March 5, 1999.)

GARTON, Chairperson

Committee Vote: Yeas 6, Nays 1.

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