

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 325 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 4-33-2-7.5 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 7.5. "Flexible
- 5 scheduling" refers to the practice of conducting gambling games and
- 6 allowing the continuous ingress and egress of ~~passengers~~ **patrons** for
- 7 the purpose of gambling. ~~while a riverboat is docked:~~
- 8 SECTION 2. IC 4-33-2-17, AS AMENDED BY P.L.96-2010,
- 9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 10 JULY 1, 2011]: Sec. 17. "Riverboat" means ~~either~~ **any** of the following
- 11 on which lawful gambling is authorized under this article:
- 12 (1) A self-propelled excursion boat located in a county described
- 13 in IC 4-33-1-1(1) or IC 4-33-1-1(2) that complies with
- 14 IC 4-33-6-6(a).
- 15 (2) A casino located in a historic hotel district.
- 16 **(3) A permanently moored craft operating from a county**
- 17 **described in IC 4-33-1-1(1) or IC 4-33-1-1(2).**
- 18 SECTION 3. IC 4-33-4-13 IS AMENDED TO READ AS
- 19 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 13. (a) This section
- 20 does not apply to a riverboat located in a historic hotel district.
- 21 (b) After consulting with the United States Army Corps of
- 22 Engineers, the commission may do the following:
- 23 (1) Determine the waterways that are navigable waterways for
- 24 purposes of this article.

1 (2) Determine the navigable waterways that are suitable for the  
2 operation of riverboats under this article.

3 (c) In determining the navigable waterways on which riverboats may  
4 operate, the commission shall do the following:

5 (1) Obtain any required approvals from the United States Army  
6 Corps of Engineers for the operation of riverboats on those  
7 waterways.

8 (2) Consider the economic benefit that riverboat gambling  
9 provides to Indiana.

10 (3) Seek to ensure that all regions of Indiana share in the  
11 economic benefits of riverboat gambling.

12 **(d) Before approving a plan submitted under IC 4-33-6-23 for:**

13 **(1) the construction of a new permanently moored craft; or**

14 **(2) the conversion of a self-propelled excursion boat into a**  
15 **permanently moored craft;**

16 **the commission shall obtain any required approvals from the**  
17 **United States Army Corps of Engineers and the United States**  
18 **Coast Guard.**

19 SECTION 4. IC 4-33-4-13.5 IS ADDED TO THE INDIANA CODE  
20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
21 1, 2011]: **Sec. 13.5. The commission shall:**

22 **(1) determine the appropriate marine structural and life**  
23 **safety standards for a permanently moored craft described in**  
24 **a plan submitted under IC 4-33-6-23(a); and**

25 **(2) establish maintenance requirements and an inspection**  
26 **schedule to enforce the standards.**

27 **This section does not require a licensed owner converting a**  
28 **self-propelled excursion boat into a permanently moored craft to**  
29 **substantially alter the marine structural and life safety systems of**  
30 **the excursion boat that were required to comply with IC 4-33-6-6**  
31 **if the self-propelled excursion boat was in service before January**  
32 **1, 2011.**

33 SECTION 5. IC 4-33-6-6, AS AMENDED BY P.L.170-2005,  
34 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 JULY 1, 2011]: Sec. 6. (a) **Except as provided in subsection (c),** a  
36 riverboat that operates in a county described in IC 4-33-1-1(1) or  
37 IC 4-33-1-1(2) must:

38 (1) have either:

39 (A) a valid certificate of inspection from the United States  
40 Coast Guard for the carrying of at least five hundred (500)  
41 passengers; or

42 (B) a valid certificate of compliance with marine structural and  
43 life safety standards determined by the commission; and

44 (2) be at least one hundred fifty (150) feet in length.

45 (b) This subsection applies only to a riverboat that operates on the  
46 Ohio River. A riverboat must replicate, as nearly as possible, historic

1 Indiana steamboat passenger vessels of the nineteenth century.  
2 However, steam propulsion or overnight lodging facilities are not  
3 required under this subsection.

4 **(c) A riverboat described in IC 4-33-2-17(3) must have a valid**  
5 **certificate of compliance with the marine structural and life safety**  
6 **standards determined by the commission under IC 4-33-4-13.5 for**  
7 **a permanently moored craft.**

8 SECTION 6. IC 4-33-6-23 IS ADDED TO THE INDIANA CODE  
9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
10 1, 2011]: **Sec. 23. (a) A licensed owner may submit to the**  
11 **commission a plan for:**

12 **(1) constructing a permanently moored craft to replace the**  
13 **licensed owner's self-propelled excursion boat; or**

14 **(2) converting the licensed owner's self-propelled excursion**  
15 **boat into a permanently moored craft.**

16 **(b) Except as provided in subsection (d), a licensed owner may**  
17 **disable the propulsion and navigation equipment that had been**  
18 **required to comply with section 6(a) of this chapter upon receiving**  
19 **the commission's approval of a conversion plan submitted under**  
20 **subsection (a).**

21 **(c) Except as provided in subsection (d), a licensed owner**  
22 **operating a permanently moored craft is not required to employ**  
23 **the personnel that had been required to operate a self-propelled**  
24 **excursion boat.**

25 **(d) This subsection applies only to a permanently moored craft**  
26 **located at or near mile seven hundred ninety-one and five-tenths**  
27 **(791.5) on the right descending bank of the Ohio River. Because of**  
28 **the navigation and safety concerns unique to a craft moored at this**  
29 **section of the Ohio River, the licensed owner of the permanently**  
30 **moored craft shall:**

31 **(1) maintain operating radios and radar on the permanently**  
32 **moored craft; and**

33 **(2) employ a licensed pilot to monitor the radar and channels**  
34 **thirteen (13) and sixteen (16) on the radio.**

1     **A pilot employed under subdivision (2) shall at least be licensed by**  
2     **the United States Coast Guard as a master of vessels of not more**  
3     **than one hundred (100) gross registered tons."**

4         Renumber all SECTIONS consecutively.  
       (Reference is to ESB 325 as printed April 1, 2011.)

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Representative Riecken