

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 528 be amended to read as follows:

- 1 Page 66, delete lines 3 through 42, begin a new paragraph and
- 2 insert:
- 3 "SECTION 104. IC 36-7-11.5-11, AS AMENDED BY
- 4 P.L.229-2011, SECTION 266, IS AMENDED TO READ AS
- 5 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 11. (a) As used in this
- 6 section, "fund" refers to the West Baden Springs historic hotel
- 7 preservation and maintenance fund established by subsection (b).
- 8 (b) The West Baden Springs historic hotel preservation and
- 9 maintenance fund is established. The fund consists of the following:
- 10 (1) Amounts deposited in the fund under IC 4-33-6.5-6,
- 11 IC 4-33-12-6(c), and IC 4-33-13-5(b).
- 12 (2) Grants and gifts that the department of natural resources
- 13 receives for the fund under terms, obligations, and liabilities that
- 14 the department considers appropriate.
- 15 (3) The one million dollar (\$1,000,000) initial fee paid to the
- 16 gaming commission under IC 4-33-6.5.
- 17 (4) Any amount transferred to the fund upon the repeal of
- 18 IC 36-7-11.5-8 (the community trust fund).
- 19 The fund shall be administered by the ~~department of natural resources:~~
- 20 **budget agency**. The expenses of administering the fund shall be paid
- 21 from money in the fund.
- 22 (c) The treasurer of state shall invest the money in the fund that is
- 23 not currently needed to meet the obligations of the fund in the same
- 24 manner as other public funds may be invested. The treasurer of state
- 25 shall deposit in the fund the interest that accrues from the investment
- 26 of the fund.
- 27 (d) Money in the fund at the end of a state fiscal year does not revert
- 28 to the state general fund.
- 29 (e) **Subject to appropriation by the general assembly**, the interest
- 30 accruing to the fund is annually appropriated to the department of

1 natural resources only budget agency may distribute not more than
 2 five hundred thousand dollars (\$500,000) annually from the fund
 3 for the following purposes:

4 (1) To reimburse claims made for expenditures to maintain a
 5 qualified historic hotel, as determined by the owner of the hotel
 6 riverboat resort **and approved by the budget agency after**
 7 **review by the budget committee.**

8 (2) To reimburse claims made for expenditures to maintain:

9 (A) the grounds surrounding a qualified historic hotel;

10 (B) supporting buildings and structures related to a qualified
 11 historic hotel; and

12 (C) other facilities used by the guests of the qualified historic
 13 hotel;

14 as determined by the owner of the hotel riverboat resort **and**
 15 **approved by the budget agency after review by the budget**
 16 **committee.**

17 (f) The department of natural resources shall promptly pay each
 18 claim for a purpose described in subsection (e) to the extent of the
 19 balance of interest available in the fund; without review or approval of
 20 the project or claim under IC 14-21 or IC 36-7-11. IC 14-21-1-18 does
 21 not apply to projects or claims paid for maintenance under this section.
 22 If insufficient money is available to fully pay all of the submitted
 23 claims, the department of natural resources shall pay the claims in the
 24 order in which they are received until each claim is fully paid. **The**
 25 **total amount that may be distributed from the fund may not exceed**
 26 **five hundred thousand dollars (\$500,000) in each year, regardless**
 27 **of the amount of interest that has accrued to the fund.**

28 (g) Notwithstanding IC 4-9.1-1-7, IC 4-12-1-12, IC 4-13-2-18, or
 29 any other law, **money in the fund and** interest accruing to the fund
 30 may not be withheld, transferred, assigned, or reassigned to a purpose
 31 other than the reimbursement of claims ~~under subsection (f):~~ **approved**
 32 **under this section by the budget agency after review by the budget**
 33 **committee."**

34 Page 67, delete lines 1 through 14.

35 Renumber all SECTIONS consecutively.

(Reference is to SB 528 as printed February 15, 2013.)

Senator KENLEY