

plans or other proposals to the Federal government, to promulgate regulations, establish and enforce standards and to take such other measures as may be necessary to render the Commonwealth eligible for available Federal funds or other assistance.

(3) To make surveys and inventories of existing facilities and services as required in connection with such State plans, and to assess the need for construction, modernization or additional services and to determine priorities with respect thereto.

Section 2. The act of July 5, 1947 (P. L. 1335), known as the "Pennsylvania Hospital Survey and Construction Act," is repealed.

APPROVED—The 5th day of August, A. D. 1965.

WILLIAM W. SCRANTON

No. 159

AN ACT

SB 203

Amending the act of December 22, 1959 (P. L. 1978), entitled, as amended, "An act providing for and regulating harness racing with pari-mutuel wagering on the results thereof; creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties; providing for the establishment and operation of harness racing plants subject to local option; imposing taxes on revenues of such plants; disposing of all moneys received by the commission and all moneys collected from the taxes; authorizing penalties; and making appropriations," further providing for the disposition of moneys in the State Harness Racing Fund and the Pennsylvania Fair Fund and making an appropriation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 16, act of December 22, 1959 (P. L. 1978), entitled, as amended, "An act providing for and regulating harness racing with pari-mutuel wagering on the results thereof; creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties; providing for the establishment and operation of harness racing plants subject to local option; imposing taxes on revenues of such plants; disposing of all moneys received by the commission and all moneys collected from the taxes; authorizing penalties; and making

appropriations," amended in part May 20, 1963 (P. L. 40), is amended to read:

Section 16. Disposition and Appropriation of Funds Accruing under the Provisions of this Act.—(a) All moneys paid into the State Treasury under the provisions of this act shall be paid into a special fund hereby created and to be known as the State Harness Racing Fund.

(b) As much as may be necessary of such moneys is hereby appropriated to pay:

(1) The salaries of employes of the commission employed by or for it in accordance with the provisions of the act of April 9, 1929 (P. L. 177), known as "The Administrative Code of 1929," and its amendments.

(2) The payment of the compensation of employes of the Department of Revenue when used in collecting taxes and penalties imposed by this act. [and]

(2.1) The expenses of the Secretary and the Department of Agriculture incurred in administering their duties under this act, and

(3) To pay all other expenses incurred by the commission in administering this act.

(c) Three-fourths of all moneys, remaining in the State Harness Racing Fund and not required for payments under subsection (b) shall be paid into the General Fund.

(d) The balance of said moneys shall be paid into a fund known as the Pennsylvania Fair Fund. Moneys in the Pennsylvania Fair Fund are hereby appropriated to the Department of Agriculture and shall be distributed by the Secretary of Agriculture, annually, on or before the first day of March beginning with the year [1960] 1966, as follows:

[(1) To each county agricultural society and to each independent agricultural society conducting an annual fair, the sum of two thousand dollars (\$2000), annually, to be used in the general operations of such fairs, including, but not limited to, junior club work, school displays, livestock premiums and agricultural stock improvements.

(2) To each county agricultural society and each independent agricultural society conducting harness horse racing during their annual fair, the sum of two thousand five hundred dollars (\$2500) to be used as purse money for harness horse racing conducted during their annual fair.

(3) To each county agricultural society and each independent agricultural society conducting races for two and three-year-old colts and fillies, a sum of five hundred dollars (\$500) for each such race. All

entrance fees collected for each such race shall be added to the sum above provided.

In the event there is an excess over the above amount, it shall be paid into the General Fund. In the event the amount in this fund collected is less than required for the above, the amount granted to each participating fair shall be reduced proportionately.

The Secretary of Agriculture shall provide forms for application for the distribution of the funds to the county and independent fairs and shall prescribe such rules and regulations as are necessary for carrying out the provisions of this section, and may make such investigations as are necessary to determine the validity of any claims and applications for distribution of moneys hereunder.]

(1) For reimbursement to county agricultural societies, independent agricultural societies and other organizations conducting an annual agricultural fair, as defined hereinafter as follows: (i) a minimum basic payment of two thousand dollars (\$2000) for operating expenses including the payment of agricultural premiums plus (ii) fifty percent of money paid for all other agricultural premiums not included in subclause (i) of clause (1) above, with a maximum payment of ten thousand dollars (\$10,000), making possible a maximum total payment of twelve thousand dollars (\$12,000) per organization conducting an annual agricultural fair.

Payments are to be made on applications filed and approved in the calendar year in which a fair is held.

An annual agricultural fair in the intent of this act shall be deemed to be an event or events totaling no less than three days of activities which are designed to contribute to the development of several or many phases of agriculture and/or agribusiness and which employs the four following devices in addition to such others as may be deemed advisable to the holder of the annual fair: (i) exhibits or displays, (ii) educational activities, (iii) demonstrations, and (iv) agricultural or agribusiness contest premiums. Each day of activity considered for a fair shall be comprised of a program or programs of six hours or more in length.

No society hereafter incorporated or recognized by a county govern-

ment or the Commonwealth shall be entitled to the benefits of this act until such society shall have conducted two consecutive annual exhibitions of the character designated in clause (1) of this subsection and such society upon its inception shall file with the Secretary of Agriculture a declaration of its intention to apply for said premium money for its third year. Such society must also file its report during its first two years the same as any other eligible society. This clause will not apply to an eligible society heretofore or hereafter incorporated, which shall resume the holding of annual exhibitions of the character designated in this clause (1) of this subsection, which exhibitions have been for a period of not more than two years temporarily discontinued.

(2) For reimbursement for each county agricultural society and each independent agricultural society conducting harness horse racing during its annual fair other than races for two and three-year-old colts and fillies which races are provided for in clause (3) below, an amount of money equal to that used during their previous year's annual fair as purse money for harness horse racing, track and stable maintenance, starting gate rental and the cost of all harness horse racing officials required during their annual fair, but not more than five thousand dollars (\$5000).

(3) For reimbursement for each county agricultural society and independent agricultural society conducting races for two and three-year-old colts and fillies, at their annual fair on which a maximum of seven hundred dollars (\$700) was paid for each such race but not more than fifty-six hundred dollars (\$5600) annually. Entrance fees collected for each such race shall not be included when computing the amount distributed by the Secretary of Agriculture under this subsection.

(4) To county-wide or State-wide 4-H and combined FFA and FHA units of boys and girls under twenty-one years of age, the sum of two thousand dollars (\$2000) annually, to be used for the general operations of such units in agriculture or agribusiness programs, provided that

an organization whose numbers consist entirely of minors must apply through and be represented by an adult advisory group and both the organization and the advisory group must be recognized by their respective county governments or by the Commonwealth of Pennsylvania, and further provided that each county-wide or State-wide 4-H and combined FFA and FHA unit be required to report on its activities and justify these activities as events which contribute to the advancement of agriculture or agribusiness. Such reports shall also include a record of expenses incurred in the conduct of these qualifying activities.

(e) In the event there is in the Pennsylvania Fair Fund an excess over the amount required to make payments specified in subsection (d) above, such excess shall be distributed as follows: first, ten percent of the remaining balance, or fifty thousand dollars (\$50,000), whichever amount is greater to be used by the Department of Agriculture for marketing and consumer service programs; and second, fifty percent of the remaining balance or two hundred fifty thousand dollars (\$250,000), whichever amount is greater for agricultural research projects, as determined by the Secretary of Agriculture, from the recommendations submitted by a committee appointed by him, such committee to include in its membership the dean of the college of agriculture at the Pennsylvania State University and the dean of the school of veterinary medicine of the University of Pennsylvania.

Any balance remaining in the fund shall be returned to the General Fund. In the event the amount of money in the Pennsylvania Fair Fund is less than is required to make payments specified in subsection (d) above, the amount granted to each recipient shall be reduced proportionately.

(f) The Secretary of Agriculture shall provide forms for application for the distribution of the funds to county and independent agricultural societies and to youth groups and shall prescribe such rules and regulations as he may deem necessary to carry out the provisions of this sec-

tion and may make such investigations as he may deem necessary to determine the validity of any claims and applications for distribution of moneys hereunder.

APPROVED—The 9th day of August, A. D. 1965.

WILLIAM W. SCRANTON

No. 160

AN ACT

SB 91

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making it illegal to attempt to or to administer drugs or stimulants to race horses and providing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The act of June 24, 1939 (P. L. 872), known as "The Penal Code," is amended by adding after section 950, a new section to read:

Section 950.1. Administering Drugs to Race Horses.—Any person attempting to or administering drugs or stimulants with the intent to affect the speed of horses in races where there is a monetary award offered shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000), or undergo imprisonment for a term not exceeding three years, or both.

APPROVED—The 10th day of August, A. D. 1965.

WILLIAM W. SCRANTON

No. 161

AN ACT

SB 603

Amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating