

the law. The stating of false facts and charges in such affidavit shall constitute perjury and shall subject the affiant to penalties prescribed under the law for perjury. If such public officer or employe neglects or refuses for an unreasonable time after demand to enforce such provision have the right to bring an action of mandamus in the court of common pleas of the county in which the operation which relates to the alleged lack of enforcement is being conducted. The court, if satisfied that any provision of this act is not being enforced, may make an appropriate order compelling the public officer or employe, whose duty it is to enforce such provision, to perform his duties, and upon failure to do so such public officer or employe shall be held in contempt of court and shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Effective date
and application
and construction
of certain
provisions.

Section *13. This act shall take effect January 1, 1964. However, the Land Reclamation Board and the Bureau of Conservation and Reclamation shall be created immediately and the Director of Conservation and Reclamation may be appointed immediately to enable the said board, bureau and director to make such preparations as shall be necessary to carry out the provisions of the act as amended on the said effective date.

Where prior to the effective date of this amendment, an operator has permanently ceased the removal of coal by open pit mining at all mining operations within this Commonwealth and bonds have been posted for any such operations but the backfilling and planting of lands affected by such operations have not been completed and the bonds released, said lands shall be backfilled and planted and bonds released in accordance with the requirements of the act to which this is an amendment as they existed immediately prior to the effective date of this amendment.

APPROVED—The 16th day of July, A. D. 1963.

WILLIAM W. SCRANTON

No. 134

AN ACT

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

* "12" in original.

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," imposing temporary taxes on revenues of such plants for general school purposes in school districts of the first class.

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

**State Harness
Racing.**

Section 1. Section 15, 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," is amended to read:

**Section 15, act of
December 22,
1959, P. L. 1978,
amended.**

Section 15. Disposition of Pari-mutuel Pools.—Every corporation authorized under this act to conduct pari-mutuel betting at a harness horse race meeting on races run thereat shall distribute all sums deposited in any pari-mutuel pool to the holders of winning tickets therein, provided such tickets be presented for payment before April first of the year following the year of their purchase, less fifteen per centum of the total deposits plus the breaks, *and as to harness horse race meetings held within school districts of the first class during the years 1963, 1964 and 1965, less seventeen per centum of the total deposits plus the breaks.* At the close of each racing day, the permit holder out of the amount retained on said day by said permit holder, shall pay, through the Department of Revenue into the State Treasury for credit to the State Harness Racing Fund, a tax of five per centum of the amount wagered each day, which tax is hereby imposed, *and as to harness horse race meetings held within schools districts of the first class during the years 1963, 1964 and 1965, the permit holder shall pay the school district in which the harness horse race meeting is held a tax of two per centum of the amount wagered each day, which tax is hereby imposed for general school purposes.*

In addition, each permit holder shall be allowed to retain the odd cents of all redistribution to be made on all mutuel contributions exceeding a sum equal to the next lowest multiple of ten, subject to a tax of fifty per

centum of the total sum of such odd cents, which tax is hereby imposed and shall be paid by the permit holder to the Department of Revenue for credit to the State Harness Racing Fund.

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 16th day of July, A. D. 1963.

WILLIAM W. SCRANTON

No. 135

AN ACT

Repealing the act of April 23, 1870 (P. L. 1258), entitled "An act to divide the borough of Bellefonte into three wards."

Borough of Bellefonte.

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

Specific repeal.

Section 1. The act of April 23, 1870 (P. L. 1258), entitled "An act to divide the borough of Bellefonte into three wards," is repealed.

APPROVED—The 16th day of July, A. D. 1963.

WILLIAM W. SCRANTON

No. 136

AN ACT

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 an independent administrative commission 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," requiring the secretary to keep a docket containing certain information relative to stockholders; providing that when there is a transfer of stock, the agreement pursuant to which stock is held must be in writing; requiring licensees to furnish the commission with lists of shareholders and to notify the commission of transfers of stock; prohibiting stock to be held in trust, except under certain conditions, and forfeiting stock so held to the Commonwealth; prohibiting public officers, public employes and party officers from having an interest in pari-mutuel racing activities; prohibiting the attendance at harness horse race meetings by minors, and requiring the commission to provide by rule for enforcement of certain provisions of the act.