

## No. 112

## AN ACT

## HB 2071

Amending the act of December 22, 1959 (P.L.1978, No.728), 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 distribution of funds and changing the maximum amount of funds that may be distributed to any one project.

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

Section 1. Subsection (a.1) of section 16, act of December 22, 1959 (P.L.1978, No.728), referred to as the State Harness Racing Law, added December 30, 1974 (P.L.1139, No.364), is amended to read:

Section 16. Disposition and Appropriation of Funds Accruing under the Provisions of this Act.—\* \* \*

(a.1) Thirty-six and one-third per centum of such moneys paid into the State Harness Racing Fund by permit holders conducting racing other than in school districts of the first class shall be paid to the Department of Commerce. Moneys paid to the Department of Commerce are hereby appropriated for distribution by the Secretary of Commerce to eligible boroughs having a population of less than **[ten thousand] twelve thousand**, eligible townships having a population of less than twelve thousand, each of their municipality authorities, or county authorities authorized to service the borough or township, for projects providing for the construction, rehabilitation, alteration, expansion, or improvement of water facilities, sewage disposal facilities and access roads, in amounts not to exceed **[twenty-five] seventy-five** per centum of the cost thereof, **but not exceeding seventy-five thousand dollars (\$75,000)** if in accordance with regulations promulgated by the Secretary of Commerce and approved by the Governor. No distribution shall be made in connection with any project unless it is determined that the project:

- (1) Is not in conflict with programs of other departments of the Commonwealth;
- (2) Is not inconsistent with an existing development plan for the municipality;
- (3) Could not otherwise be financed;
- (4) Will either strengthen the income-producing capability of the municipality, or improve the health and safety of the community; **[and]**
- (5) Is necessary to orderly community development; **and**
- (6) Does not involve other State funds.**

\* \* \*

Section 2. This act shall take effect immediately.

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APPROVED—The 29th day of June, A. D. 1976.

MILTON J. SHAPP