

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1181 Session of
2013INTRODUCED BY VOGEL, PILEGGI, SCARNATI, TOMLINSON, McILHINNEY,
VULAKOVICH, YAW AND HUGHES, NOVEMBER 18, 2013AS REPORTED FROM COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 10, 2014

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled,
2 as amended, "An act relating to the finances of the State
3 government; providing for the settlement, assessment,
4 collection, and lien of taxes, bonus, and all other accounts
5 due the Commonwealth, the collection and recovery of fees and
6 other money or property due or belonging to the Commonwealth,
7 or any agency thereof, including escheated property and the
8 proceeds of its sale, the custody and disbursement or other
9 disposition of funds and securities belonging to or in the
10 possession of the Commonwealth, and the settlement of claims
11 against the Commonwealth, the resettlement of accounts and
12 appeals to the courts, refunds of moneys erroneously paid to
13 the Commonwealth, auditing the accounts of the Commonwealth
14 and all agencies thereof, of all public officers collecting
15 moneys payable to the Commonwealth, or any agency thereof,
16 and all receipts of appropriations from the Commonwealth,
17 authorizing the Commonwealth to issue tax anticipation notes
18 to defray current expenses, implementing the provisions of
19 section 7(a) of Article VIII of the Constitution of
20 Pennsylvania authorizing and restricting the incurring of
21 certain debt and imposing penalties; affecting every
22 department, board, commission, and officer of the State
23 government, every political subdivision of the State, and
24 certain officers of such subdivisions, every person,
25 association, and corporation required to pay, assess, or
26 collect taxes, or to make returns or reports under the laws
27 imposing taxes for State purposes, or to pay license fees or
28 other moneys to the Commonwealth, or any agency thereof,
29 every State depository and every debtor or creditor of the
30 Commonwealth," in additional special funds, further providing
31 for the Pennsylvania Race Horse Development Fund, ~~in 2013~~ <--
32 ~~2014 budget implementation, further providing for executive~~

1 ~~offices; lapsing certain funds; and making an appropriation.~~

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

4 Section 1. Section 1723-A.1(2) of the act of April 9, 1929
5 (P.L.343, No.176), known as The Fiscal Code, added July 18, 2013
6 (P.L.574, No.71), is amended to read:

7 Section 1723-A.1. Distributions from Pennsylvania Race Horse
8 Development Fund.

9 Funds in the fund are appropriated to the department on a
10 continuing basis for the purposes set forth in this subsection
11 and shall be distributed to each active and operating Category 1
12 licensee conducting live racing as follows:

13 * * *

14 (2) [For fiscal year 2013-2014, distributions] <--
15 DISTRIBUTIONS from the fund shall be allocated as follows:

16 (i) [Each] FOR FISCAL YEAR 2013-2014, EACH week, <--
17 \$802,682 in the fund shall be transferred to the account.
18 This transfer shall not exceed \$17,659,000 annually.

19 ~~(i.1) After December 31, 2013, and before July 1,~~ <--
20 ~~2014, the following apply:~~

21 ~~(A) Subject to clause (B), each week, \$250,000~~
22 ~~in the fund shall be transferred to the State Racing~~

23 (I.1) IN ADDITION TO THE TRANSFER UNDER SUBPARAGRAPH <--
24 (I), FOR A TOTAL OF 14 WEEKS FROM THE EFFECTIVE DATE OF
25 THIS SUBPARAGRAPH, EACH WEEK, \$300,000 SHALL BE
26 TRANSFERRED FROM THE FUND, FOR A TOTAL AMOUNT OF
27 \$4,200,000, TO THE STATE RACING Fund to be used
28 exclusively for the enforcement of the act of December
29 17, 1981 (P.L.435, No.135), known as the Race Horse
30 Industry Reform Act. Moneys transferred pursuant to this

~~clause~~ SUBPARAGRAPH shall not be transferred subsequently <--
to any other State fund or account for any purpose.

~~(B) The total transfer under this subparagraph <--
shall not exceed \$5,000,000.~~

(ii) [Each] FOR FISCAL YEAR 2013-2014, EACH week, <--
the money remaining in the fund after any transfer under
[subparagraph (i)] subparagraphs (i) and (i.1) shall be
distributed to each active and operating Category 1
licensee conducting live racing in accordance with the
following formula:

(A) Divide:

(I) the total daily assessments paid, by
each active and operating Category 1 licensee
conducting live racing, into the fund for that
week; by

(II) the total daily assessments paid, by
all active and operating Category 1 licensees
conducting live racing, into the fund for that
week.

(B) Multiply the quotient under clause (A) by
the amount to be distributed under this subparagraph.

(iii) The distribution under subparagraph (ii) shall
be allocated as follows:

(A) The greater of 4% of the amount to be
distributed under subparagraph (ii) or \$220,000 shall
be used to fund health and pension benefits for the
members of the horsemen's organizations representing
the owners and trainers at the racetrack at which the
licensed racing entity operates for the benefit of
the organization's members, their families, employees

1 and others in accordance with the rules and
2 eligibility requirements of the organization, as
3 approved by the State Horse Racing Commission or the
4 State Harness Racing Commission. This amount shall be
5 deposited within five business days of the end of
6 each week into a separate account to be established
7 by each respective horsemen's organization at a
8 banking institution of its choice. Of this amount, a
9 minimum of \$250,000 shall be paid annually by the
10 horsemen's organization to the thoroughbred jockeys
11 or standardbred drivers organization at the racetrack
12 at which the licensed racing entity operates for
13 health insurance, life insurance or other benefits to
14 active and disabled thoroughbred jockeys or
15 standardbred drivers in accordance with the rules and
16 eligibility requirements of that organization. The
17 total distribution under this clause in any fiscal
18 year shall not exceed \$11,400,000.

19 (B) Of the money remaining to be distributed
20 under subparagraph (ii) after application of clause
21 (A), the following disbursements shall be made:

22 (I) Eighty-three and one-third percent of
23 the money to be distributed under this clause
24 shall be deposited on a weekly basis into a
25 separate, interest-bearing purse account to be
26 established by and for the benefit of the
27 horsemen. The earned interest on the account
28 shall be credited to the purse account. Licensees
29 shall combine these funds with revenues from
30 existing purse agreements to fund purses for live

1 races consistent with those agreements with the
2 advice and consent of the horsemen.

3 (II) For thoroughbred tracks, 16 and 2/3% of
4 the money to be distributed under this clause
5 shall be deposited on a weekly basis into the
6 Pennsylvania Breeding Fund established in section
7 223 of the Race Horse Industry Reform Act. For
8 standardbred tracks, 8 and 1/3% of the money to
9 be distributed under this clause shall be
10 deposited on a weekly basis into the Pennsylvania
11 Sire Stakes Fund as defined in section 224 of the
12 Race Horse Industry Reform Act; and 8 and 1/3% of
13 the money to be distributed under this clause
14 shall be deposited on a weekly basis into a
15 restricted account in the State Racing Fund to be
16 known as the Pennsylvania Standardbred Breeders
17 Development Fund. The State Harness Racing
18 Commission shall, in consultation with the
19 Secretary of Agriculture, promulgate regulations
20 adopting a standardbred breeders program that
21 will include the administration of the
22 Pennsylvania Stallion Award, the Pennsylvania
23 Bred Award and the Pennsylvania Sired and Bred
24 Award.

25 ~~Section 2. Section 1712 H of the act, repealed and added~~ <--
26 ~~July 18, 2013 (P.L.574, No.71), is amended to read:~~
27 ~~Section 1712 H. Executive Offices.~~

28 ~~(1) Funds appropriated to the Pennsylvania Commission on~~
29 ~~Crime and Delinquency for intermediate punishment treatment~~
30 ~~programs shall be distributed competitively to counties for~~

1 ~~offenders sentenced to intermediate punishment programs. The~~
2 ~~portion of funds for drug and alcohol treatment shall be~~
3 ~~based on national statistics that identify the percentage of~~
4 ~~incarcerated individuals that are in need of treatment for~~
5 ~~substance issues but in no case shall be less than 80% of the~~
6 ~~amount appropriated.~~

7 ~~(2) From funds appropriated to the commission, at least~~
8 ~~\$285,000 shall be used to support the Statewide Automated~~
9 ~~Victim Information and Notification System (SAVIN) to provide~~
10 ~~offender information through county jails and \$200,000 shall~~
11 ~~be used for a residential treatment community facility for~~
12 ~~at risk youth located in a county of the fifth class.~~

13 ~~(3) From funds appropriated for violence prevention~~
14 ~~programs, at least \$250,000 shall be used for programs in a~~
15 ~~city of the second class, and at least \$450,000 shall be used~~
16 ~~for programs in a city of the first class.~~

17 ~~(4) From funds appropriated to the Office of~~
18 ~~Administration for a pilot program to allow for the purchase~~
19 ~~of technology and related equipment which shall primarily be~~
20 ~~used at outdoor events to ensure the public's safety, the~~
21 ~~Office of Administration shall enter into an interagency~~
22 ~~agreement or memorandum of understanding with the~~
23 ~~Pennsylvania State Police, the Office of Homeland Security~~
24 ~~within the Governor's Office or the Pennsylvania National~~
25 ~~Guard, or any combination thereof, for the purpose of such~~
26 ~~pilot program.~~

27 ~~Section 3. The allocation of \$1,500,000 appropriated to the~~
28 ~~Pennsylvania State Police in section 224 of the act of June 30,~~
29 ~~2013 (P.L. _____, No.1A), known as the General Appropriation Act~~
30 ~~of 2013, for the purpose of a pilot program to allow for the~~

~~purchase of technology and related equipment which shall
primarily be used at outdoor events to ensure the public's
safety, shall lapse immediately.~~

~~Section 4. The sum of \$1,500,000 is hereby appropriated from
the General Fund to the Office of Administration for the purpose
of a pilot program to allow for the purchase of technology and
related equipment which shall primarily be used at outdoor
events to ensure the public's safety.~~

~~Section 5. If this section takes effect after January 1,
2014, the amendment of section 1723 A.1(2) of the act shall
apply retroactively to January 1, 2014.~~

Section 6 2. This act shall take effect immediately.

<--