

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1181 Session of 2013

INTRODUCED BY VOGEL, PILEGGI, SCARNATI, TOMLINSON, McILHINNEY, VULAKOVICH, YAW AND HUGHES, NOVEMBER 18, 2013

AS AMENDED ON THIRD CONSIDERATION, DECEMBER 10, 2013

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
33 OFFICES; LAPSING CERTAIN FUNDS; AND MAKING AN APPROPRIATION.

<--

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

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

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

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

12 * * *

13 (2) For fiscal year 2013-2014, distributions from the
14 fund shall be allocated as follows:

15 (i) Each week, \$802,682 in the fund shall be
16 transferred to the account. This transfer shall not
17 exceed \$17,659,000 annually.

18 (i.1) After December 31, 2013, and before July 1,
19 2014, the following apply:

20 (A) Subject to clause (B), each week, \$250,000
21 in the fund shall be transferred to the State Racing
22 Fund to be used EXCLUSIVELY for the enforcement of <--
23 the act of December 17, 1981 (P.L.435, No.135), known
24 as the Race Horse Industry Reform Act. MONEYS <--
25 TRANSFERRED PURSUANT TO THIS CLAUSE SHALL NOT BE
26 TRANSFERRED SUBSEQUENTLY TO ANY OTHER STATE FUND OR
27 ACCOUNT FOR ANY PURPOSE.

28 (B) The total transfer under this subparagraph
29 shall not exceed \$5,000,000.

30 ~~(C) Notwithstanding any other provision of law~~ <--

1 ~~to the contrary, the balance remaining in the State~~
2 ~~Racing Fund as of June 30, 2014, after all transfers~~
3 ~~and payments have been made from the State Racing~~
4 ~~Fund, shall remain in the State Racing Fund.~~

5 (ii) Each week, the money remaining in the fund
6 after any transfer under [subparagraph (i)] subparagraphs
7 (i) and (i.1) shall be distributed to each active and
8 operating Category 1 licensee conducting live racing in
9 accordance with the following formula:

10 (A) Divide:

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

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

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

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

23 (A) The greater of 4% of the amount to be
24 distributed under subparagraph (ii) or \$220,000 shall
25 be used to fund health and pension benefits for the
26 members of the horsemen's organizations representing
27 the owners and trainers at the racetrack at which the
28 licensed racing entity operates for the benefit of
29 the organization's members, their families, employees
30 and others in accordance with the rules and

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

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

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

1 advice and consent of the horsemen.

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

24 SECTION 2. SECTION 1712-H OF THE ACT, REPEALED AND ADDED <--
25 JULY 18, 2013 (P.L.574, NO.71), IS AMENDED TO READ:

26 SECTION 1712-H. EXECUTIVE OFFICES.

27 (1) FUNDS APPROPRIATED TO THE PENNSYLVANIA COMMISSION ON
28 CRIME AND DELINQUENCY FOR INTERMEDIATE PUNISHMENT TREATMENT
29 PROGRAMS SHALL BE DISTRIBUTED COMPETITIVELY TO COUNTIES FOR
30 OFFENDERS SENTENCED TO INTERMEDIATE PUNISHMENT PROGRAMS. THE

1 PORTION OF FUNDS FOR DRUG AND ALCOHOL TREATMENT SHALL BE
2 BASED ON NATIONAL STATISTICS THAT IDENTIFY THE PERCENTAGE OF
3 INCARCERATED INDIVIDUALS THAT ARE IN NEED OF TREATMENT FOR
4 SUBSTANCE ISSUES BUT IN NO CASE SHALL BE LESS THAN 80% OF THE
5 AMOUNT APPROPRIATED.

6 (2) FROM FUNDS APPROPRIATED TO THE COMMISSION, AT LEAST
7 \$285,000 SHALL BE USED TO SUPPORT THE STATEWIDE AUTOMATED
8 VICTIM INFORMATION AND NOTIFICATION SYSTEM (SAVIN) TO PROVIDE
9 OFFENDER INFORMATION THROUGH COUNTY JAILS AND \$200,000 SHALL
10 BE USED FOR A RESIDENTIAL TREATMENT COMMUNITY FACILITY FOR
11 AT-RISK YOUTH LOCATED IN A COUNTY OF THE FIFTH CLASS.

12 (3) FROM FUNDS APPROPRIATED FOR VIOLENCE PREVENTION
13 PROGRAMS, AT LEAST \$250,000 SHALL BE USED FOR PROGRAMS IN A
14 CITY OF THE SECOND CLASS, AND AT LEAST \$450,000 SHALL BE USED
15 FOR PROGRAMS IN A CITY OF THE FIRST CLASS.

16 (4) FROM FUNDS APPROPRIATED TO THE OFFICE OF
17 ADMINISTRATION FOR A PILOT PROGRAM TO ALLOW FOR THE PURCHASE
18 OF TECHNOLOGY AND RELATED EQUIPMENT WHICH SHALL PRIMARILY BE
19 USED AT OUTDOOR EVENTS TO ENSURE THE PUBLIC'S SAFETY, THE
20 OFFICE OF ADMINISTRATION SHALL ENTER INTO AN INTERAGENCY
21 AGREEMENT OR MEMORANDUM OF UNDERSTANDING WITH THE
22 PENNSYLVANIA STATE POLICE, THE OFFICE OF HOMELAND SECURITY
23 WITHIN THE GOVERNOR'S OFFICE OR THE PENNSYLVANIA NATIONAL
24 GUARD, OR ANY COMBINATION THEREOF, FOR THE PURPOSE OF SUCH
25 PILOT PROGRAM.

26 SECTION 3. THE ALLOCATION OF \$1,500,000 APPROPRIATED TO THE
27 PENNSYLVANIA STATE POLICE IN SECTION 224 OF THE ACT OF JUNE 30,
28 2013 (P.L. , NO.1A), KNOWN AS THE GENERAL APPROPRIATION ACT
29 OF 2013, FOR THE PURPOSE OF A PILOT PROGRAM TO ALLOW FOR THE
30 PURCHASE OF TECHNOLOGY AND RELATED EQUIPMENT WHICH SHALL

1 PRIMARILY BE USED AT OUTDOOR EVENTS TO ENSURE THE PUBLIC'S
2 SAFETY, SHALL LAPSE IMMEDIATELY.

3 SECTION 4. THE SUM OF \$1,500,000 IS HEREBY APPROPRIATED FROM
4 THE GENERAL FUND TO THE OFFICE OF ADMINISTRATION FOR THE PURPOSE
5 OF A PILOT PROGRAM TO ALLOW FOR THE PURCHASE OF TECHNOLOGY AND
6 RELATED EQUIPMENT WHICH SHALL PRIMARILY BE USED AT OUTDOOR
7 EVENTS TO ENSURE THE PUBLIC'S SAFETY.

8 Section ~~2~~ 5. If this section takes effect after January 1, <--
9 2014, the amendment of section 1723-A.1(2) of the act shall
10 apply retroactively to January 1, 2014.

11 Section ~~3~~ 6. This act shall take effect immediately. <--