

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 2061** Session of  
1978

INTRODUCED BY MANDERINO, C. GEORGE, PETRARCA, A. K. HUTCHINSON,  
KOLTER AND MILANOVICH, FEBRUARY 15, 1978

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 15, 1978

AN ACT

1 Amending the act of December 22, 1959 (P.L.1978, No.728),  
2 entitled, as amended, "An act providing for and regulating  
3 harness racing with pari-mutuel wagering on the results  
4 thereof; creating the State Harness Racing Commission as a  
5 departmental administrative commission within the Department  
6 of Agriculture and defining its powers and duties; providing  
7 for the establishment and operation of harness racing plants  
8 subject to local option; imposing taxes on revenues of such  
9 plants; disposing of all moneys received by the commission  
10 and all moneys collected from the taxes; authorizing  
11 penalties; and making appropriations," transferring certain  
12 powers and duties from the Department of Commerce to the  
13 Department of Community Affairs.

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

16 Section 1. Subsection (a.1) of section 16, act of December  
17 11, 1959 (P.L.1978, No.728), referred to as the Pennsylvania  
18 Harness Racing Law, amended June 29, 1976 (P.L.456, No.112), is  
19 amended to read:

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

22 (a.1) Thirty-six and one-third per centum of such moneys  
23 paid into the State Harness Racing Fund by permit holders

1 conducting racing other than in school districts of the first  
2 class shall be paid to the Department of [Commerce] Community  
3 Affairs. Moneys paid to the Department of [Commerce] Community  
4 Affairs are hereby appropriated for distribution by the  
5 Secretary of [Commerce] Community Affairs to eligible boroughs  
6 having a population of less than twelve thousand, eligible  
7 townships having a population of less than twelve thousand, each  
8 of their municipality authorities, or county authorities  
9 authorized to service the borough or township, for projects  
10 providing for the construction, rehabilitation, alteration,  
11 expansion, or improvement of water facilities, sewage disposal  
12 facilities and access roads, in amounts not to exceed seventy-  
13 five per centum of the cost thereof, but not exceeding seventy-  
14 five thousand dollars (\$75,000) if in accordance with  
15 regulations promulgated by the Secretary of [Commerce] Community  
16 Affairs and approved by the Governor. No distribution shall be  
17 made in connection with any project unless it is determined that  
18 the project:

19 (1) Is not in conflict with programs of other departments of  
20 the Commonwealth;

21 (2) Is not inconsistent with an existing development plan  
22 for the municipality;

23 (3) Could not otherwise be financed;

24 (4) Will either strengthen the income-producing capability  
25 of the municipality, or improve the health and safety of the  
26 community;

27 (5) Is necessary to orderly community development; and

28 (6) Does not involve other State funds.

29 \* \* \*

30 Section 2. All personnel, allocations, appropriations,

1 equipment, files, records, contracts, agreements, obligations,  
2 and other materials which are used, employed or expended in  
3 connection with the powers, duties or functions of the community  
4 facilities program transferred by this act to the Department of  
5 Community Affairs are hereby transferred to the Department of  
6 Community Affairs with the same force and effect as if the  
7 appropriations had been made to and said items had been the  
8 property of the Department of Community Affairs the first  
9 instance and as if said contracts, agreements and obligations  
10 had been incurred or entered into by said Department of  
11 Community Affairs.

12 All appropriations from the General Fund for the community  
13 facilities program are hereby transferred to the Department of  
14 Community Affairs with the same force and effect as if the  
15 appropriations had been made to the Department of Community  
16 Affairs in the first instance. Should the funds from  
17 appropriations for the community facilities program have been  
18 used for emergency purposes or are lapsed a like amount shall be  
19 transferred from the appropriation to the Department of Commerce  
20 for general governmental operations to the Department of  
21 Community Affairs for the community facilities program.

22 Section 3. This act shall take effect in 90 days.