

not to exceed twenty-five per centum of the cost thereof, 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.

In addition, each permit holder shall be allowed to retain the odd cents of all redistribution to be made on all mutual 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.

Section 2. This act shall take effect immediately.

APPROVED—The 26th day of January, A. D. 1968.

RAYMOND P. SHAFER.

---

No. 14

AN ACT

HB 1904

Amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," increasing the maximum amount the Department of Public Instruction may approve for certain purposes.

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

Section 1. Subsection (a.1) of section 2577, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," amended February 1, 1966 (P. L. 1632) and repealed, effective June 30, 1968, February 1, 1966 (P. L. 1642), is amended to read:

Section 2577. Limitations on Approval of Projects for Reimbursement Purposes.—(a.1) The Department of Public Instruction may approve, for capital reimbursement purposes, notwithstanding any limitations hereinbefore imposed, area vocational-technical school

and technical institute projects not to exceed a total of [twenty million dollars (\$20,000,000)] forty million dollars (\$40,000,000) in any fiscal year.

\* \* \*

Section 2. This act shall take effect immediately.

APPROVED—The 29th day of January, A. D. 1968.

RAYMOND P. SHAFER.

---

No. 15

AN ACT

HB 842

Amending the act of June 7, 1917 (P. L. 363), entitled "An act relating to the organization, jurisdiction, and procedure of the orphans' courts; the powers and duties of the judges thereof; and appeals therefrom," changing the provisions relating to commissions to be paid to real estate brokers.

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

Section 1. The last paragraph of section 9, act of June 7, 1917 (P. L. 363), entitled "An act relating to the organization, jurisdiction, and procedure of the orphans' courts; the powers and duties of the judges thereof; and appeals therefrom," amended May 2, 1949 (P. L. 793), is amended to read:

Section 9. \* \* \*

And such jurisdiction shall be exercised under the limitations and in the manner provided by law: Provided, however, That nothing in the foregoing shall be construed to relieve executors, administrators or trustees who have entered into an agreement of sale of real estate of a decedent or any other real estate held in trust in good faith, and who prior to the time fixed for settlement thereunder have received a higher offer for such real estate, from the payment of real estate broker or broker's commissions to the broker who had procured such agreement of sale, and in the event that more than one real estate broker is entitled to commissions for said agreements of sale, then such commissions shall be equally divided between or among such real estate brokers: Provided further, That the total aggregate [commissions paid shall in no event exceed five per cent of the gross consideration of the final sale] commission paid as a percentage of the gross consideration of the final sale shall in no event exceed the prevailing rate of commission as recommended by the schedule of