

No. 221

AN ACT

HB 614

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," establishing a salary for the chairman.

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

Section 1. Section 1, 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," amended May 20, 1963 (P.L.40, No.37), and July 17, 1963 (P.L.256, No.136), is amended to read:

Section 1. State Harness Racing Commission.—The State Harness Racing Commission heretofore created as an independent administrative commission is hereby established as a departmental administrative commission within the Department of Agriculture, and it shall have general jurisdiction over all pari-mutuel harness racing activities in the State and the corporations engaged therein. Such commission shall consist of three members who shall be appointed by the Governor, by and with the advice and consent of the Senate. Each commissioner shall hold office for a term of three years. Such commissioners [shall receive no salary but] shall be reimbursed for expenses incurred in the performance of their official duties. *One of the commissioners shall be appointed by the Governor as chairman and shall receive a salary of twenty-two thousand five hundred dollars (\$22,500) per annum.* The commission shall appoint such deputies, secretaries, officers, representatives and counsel as it may deem necessary, who shall serve during its pleasure, and shall also appoint such employes it may deem necessary and whose duties shall be prescribed by the commission and whose compensation shall be fixed by the commission within the appropriations available therefor. It shall be the duty of the secretary to keep a full and faithful record of the proceedings of such

commission, preserve at the general office of such commission all books, maps, documents, and papers entrusted to his care, prepare for service such papers and notices as may be required of him by the commission, and perform such other duties as the commission may prescribe. It shall be the duty of the secretary to keep, at the offices of the commission, a docket setting forth the names of all stockholders in all corporations licensed under this act, the number of shares held by each such stockholder, and the date on which each shareholder acquired his stock in the corporate licensee. Such docket shall be open for public inspection. The commission, or such officers, employes or agents of the commission as may be designated by the commission for such purpose, shall have the power to administer oaths and examine witnesses, and may issue subpoenas to compel attendance of witnesses, and the production of all relevant and material reports, books, papers, documents, correspondence, and other evidence. Such commission shall, annually, make a full report to the Secretary of Agriculture of its proceedings for the year ending with the first day of the preceding December and such suggestions and recommendations as it shall deem desirable. Such commission shall exercise its powers and duties subject to the provisions of the Administrative Code of 1929, approved April 9, 1929 (P.L.177, No.175), relating to departmental commissions.

Section 2. This act shall take effect immediately.

APPROVED—The 7th day of October, A. D. 1976.

MILTON J. SHAPP