§ 125. Pending actions or proceedings. No action or proceeding pending at the time that this article shall take effect relating to the functions, powers and duties of the former division of the lottery and former racing and wagering board transferred pursuant to this article, brought by or against the former division of the lottery or former racing and wagering board, or the officers thereof, shall be affected by the transfer or assignment of functions, powers, obligations and duties from the former division of the lottery and former racing and wagering board to the commission, but the same may be prosecuted or defended in the name of the commission. In all such actions and proceedings, the commission, upon application to the court, shall be substituted as a party.