

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1614 Session of
2009

INTRODUCED BY BELFANTI, GERGELY, GOODMAN, MENSCH, BRENNAN,
SIPTROTH, HORNAMAN, CALTAGIRONE, PASHINSKI, DeLUCA, GEORGE,
HALUSKA, GRUCELA, FRANKEL, MURPHY, KORTZ, FABRIZIO, CARROLL,
K. SMITH, MAHONEY, MURT, MELIO AND YOUNGBLOOD, JUNE 5, 2009

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
SEPTEMBER 16, 2009

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," ~~repealing~~ FURTHER PROVIDING FOR THE STATE
31 WORKERS' INSURANCE BOARD AND FOR sunset provisions relating



1 to State Workers' Insurance Fund investment authority.

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

4 ~~Section 1. Section 1732-A of the act of April 9, 1929~~ ←
5 ~~(P.L.343, No.176), known as The Fiscal Code, added July 7, 2005~~
6 ~~(P.L.174, No.41), is repealed:~~

7 ~~{Section 1732 A. Expiration.~~

8 ~~This subarticle shall expire June 30, 2009.}~~

9 SECTION 1. SECTIONS 1731-A AND 1732-A OF THE ACT OF APRIL 9, ←
10 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, ADDED JULY 7,
11 2005 (P.L.174, NO.41), ARE REENACTED AND AMENDED TO READ:

12 SECTION 1731-A. STATE WORKERS' INSURANCE BOARD.

13 NOTWITHSTANDING ANY INCONSISTENT PROVISIONS OF SECTION 1512
14 OF THE ACT OF JUNE 2, 1915 (P.L.736, NO.338), KNOWN AS THE
15 WORKERS' COMPENSATION ACT, SECTION 504 OF THE ACT OF NOVEMBER
16 30, 1965 (P.L.847, NO.356), KNOWN AS THE BANKING CODE OF 1965,
17 SECTION 922 OF THE ACT OF DECEMBER 14, 1967 (P.L.746, NO.345),
18 KNOWN AS THE SAVINGS ASSOCIATION CODE OF 1967, AND ANY OTHER LAW
19 OF THIS COMMONWEALTH, THE POWER OF THE STATE WORKERS' INSURANCE
20 BOARD TO INVEST MONEY SHALL INCLUDE THE POWER TO HOLD, PURCHASE,
21 SELL, ASSIGN, TRANSFER AND DISPOSE OF SECURITIES, INCLUDING
22 COMMON STOCK WITH THE FOLLOWING RESTRICTIONS:

23 (1) INVESTMENTS IN EQUITIES MAY NOT EXCEED THE LESSER
24 OF:

25 (I) 20% OF THE STATE WORKERS' INSURANCE FUND'S
26 ASSETS; OR

27 (II) THE STATE WORKERS' INSURANCE FUND'S STATUTORY
28 SURPLUS AFTER DISCOUNT, EXCEPT THAT IN THE EVENT THAT THE
29 STATUTORY SURPLUS IS LESS THAN 7 1/2% OF THE BOOK VALUE
30 OF THE ASSETS OF THE STATE WORKERS' INSURANCE FUND, THE

1 INVESTMENT IN EQUITIES MAY NOT EXCEED THE PERCENTAGE SET
2 FORTH IN THE PROVISIONS APPLICABLE TO SAVINGS BANKS IN
3 SECTION 504 OF THE BANKING CODE OF 1965.

4 (1.1) INVESTMENTS IN EQUITIES SHALL BE MADE SUBJECT TO
5 THE PRUDENT MAN RULE OF SECTION 504(C) OF THE BANKING CODE OF
6 1965.

7 (2) THE STATE WORKERS' INSURANCE BOARD SHALL ESTABLISH A
8 POLICY FOR INVESTMENTS AND SHALL MEET AT LEAST ANNUALLY TO
9 DEVELOP A SCHEDULE FOR REBALANCING ITS INVESTMENTS IN
10 SECURITIES TO MEET THE RESTRICTION OF PARAGRAPH (1).

11 SECTION 1732-A. EXPIRATION.

12 THIS SUBARTICLE SHALL EXPIRE JUNE 30, [2009] 2014.

13 SECTION 2. THE REENACTMENT AND AMENDMENT OF SECTIONS 1731-A
14 AND 1732-A SHALL APPLY RETROACTIVELY TO JUNE 30, 2009.

15 Section ~~2~~ 3. This act shall take effect immediately.

