

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2051 Session of 2015

INTRODUCED BY TOBASH AND HARHAI, MAY 11, 2016

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 11, 2016

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
 2 "An act providing for and reorganizing the conduct of the
 3 executive and administrative work of the Commonwealth by the
 4 Executive Department thereof and the administrative
 5 departments, boards, commissions, and officers thereof,
 6 including the boards of trustees of State Normal Schools, or
 7 Teachers Colleges; abolishing, creating, reorganizing or
 8 authorizing the reorganization of certain administrative
 9 departments, boards, and commissions; defining the powers and
 10 duties of the Governor and other executive and administrative
 11 officers, and of the several administrative departments,
 12 boards, commissions, and officers; fixing the salaries of the
 13 Governor, Lieutenant Governor, and certain other executive
 14 and administrative officers; providing for the appointment of
 15 certain administrative officers, and of all deputies and
 16 other assistants and employes in certain departments, boards,
 17 and commissions; and prescribing the manner in which the
 18 number and compensation of the deputies and all other
 19 assistants and employes of certain departments, boards and
 20 commissions shall be determined," in organization of
 21 independent administrative boards and commissions,
 22 transferring certain powers and duties relating to public
 23 pension system analysis and legislation; providing for the
 24 Independent Fiscal Office; in powers and duties of the
 25 Department of the Auditor General, transferring certain
 26 powers and duties relating to municipal pension reporting and
 27 analysis; and making related repeals.

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

30 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
 31 as The Administrative Code of 1929, is amended by adding a

1 section to read:

2 Section 310. Transferring Certain Powers and Duties Relating
3 to Public Pension System Analysis and Legislation.--(a)
4 Notwithstanding any other provision of law, the Independent
5 Fiscal Office shall have the following additional duties as they
6 relate to any retirement pension plan or pension system
7 established by a municipality under any act or authority granted
8 by the General Assembly and any retirement or pension plan
9 established and administered pursuant to 24 Pa.C.S. Pt. IV
10 (relating to retirement for school employees) and 71 Pa.C.S. Pt.
11 XXV (relating to retirement for State employees and officers):

12 (1) At the request of any officer listed in this clause, to
13 analyze the provisions of a bill relating to public employe
14 retirement or pension policy and issue a report on the bill in a
15 timely fashion. The report shall provide a synopsis of the bill
16 and financial cost and shall identify proposed changes to
17 current law and current policy. The report, after consultation
18 with the requesting officer, may include an assessment of the
19 actuarial impact and shall be submitted to the following:

20 (i) The President pro tempore of the Senate and the Speaker
21 of the House of Representatives.

22 (ii) The Majority Leader and the Minority Leader of the
23 Senate.

24 (iii) The Majority Leader and the Minority Leader of the
25 House of Representatives.

26 (iv) The chairperson and the minority chairperson of the
27 Appropriations Committee of the Senate.

28 (v) The chairperson and the minority chairperson of the
29 Appropriations Committee of the House of Representatives.

30 (2) To prepare actuarial notes in the form and manner

1 prescribed under section 7 of the act of July 9, 1981 (P.L.208,
2 No.66), known as the "Public Employee Retirement Commission
3 Act," by selecting an enrolled pension actuary to prepare an
4 actuarial note. Actuarial notes shall include a reliable
5 estimate of the financial and actuarial effect of the proposed
6 change in any pension or retirement system. The Independent
7 Fiscal Office shall transmit actuarial notes to the Governor,
8 President pro tempore of the Senate and the Speaker of the House
9 of Representatives within the time periods specified under
10 section 7 of the "Public Employee Retirement Commission Act" at
11 the request of any of the following:

12 (i) The President pro tempore of the Senate or the Speaker
13 of the House of Representatives.

14 (ii) The Majority Leader or the Minority Leader of the
15 Senate.

16 (iii) The Majority Leader or the Minority Leader of the
17 House of Representatives.

18 (iv) The chairperson or the minority chairperson of the
19 Appropriations Committee of the Senate.

20 (v) The chairperson or the minority chairperson of the
21 Appropriations Committee of the House of Representatives.

22 (3) To establish and review public employe retirement plans
23 for actuarial soundness and report the results to the General
24 Assembly.

25 (4) To maintain the following on its Internet website in a
26 publicly accessible and searchable area:

27 (i) All actuarial notes issued by the Public Employee
28 Retirement Commission prior to the effective date of this
29 section.

30 (ii) All actuarial notes issued by the Independent Fiscal

1 Office.

2 (iii) Any other information that is requested to be posted
3 by an officer listed in clause (1).

4 (5) After expending all appropriations for the performance
5 of its duties under this section, to request a reimbursement of
6 expense from the entity requesting the preparation of materials
7 under this subsection.

8 (6) To perform any other duty under section 6(a)(1) or (10)
9 of the "Public Employee Retirement Commission Act" as requested
10 by any officer listed in paragraph (1).

11 (b) A restricted account is established in the General Fund
12 which shall consist of reimbursement payments received by the
13 Independent Fiscal Office under subsection (a)(5). The money in
14 the restricted account is hereby appropriated on a continuing
15 basis to the Independent Fiscal Office for the purpose of the
16 performance of its duties under this section, provided that the
17 money in the restricted account may not be expended unless the
18 Independent Fiscal Office expends all other appropriations for
19 the performance of its duties under this section.

20 (c) As used in this section, the term "public employe
21 retirement plan" shall mean any of the following:

22 (1) The State Employees' Retirement System established under
23 71 Pa.C.S. Pt. XXV.

24 (2) The Public School Employees' Retirement System
25 established under 24 Pa.C.S. Pt. IV.

26 (3) The Pennsylvania Municipal Retirement System established
27 under the act of February 1, 1974 (P.L.34, No.15), known as the
28 "Pennsylvania Municipal Retirement Law."

29 (4) Any other independent pension or retirement plan for
30 public officers and employes of the Commonwealth.

1 (5) Pension or retirement plans established under 11 Pa.C.S.
2 Pt. V (relating to third class cities).

3 (6) Pension or retirement plans created pursuant to the act
4 of May 29, 1956 (1955 P.L.1804, No.600), referred to as the
5 Municipal Police Pension Law.

6 Section 2. The act is amended by adding an article to read:

7 ARTICLE VI-B

8 INDEPENDENT FISCAL OFFICE

9 Section 601-B. Scope of article.

10 This article relates to independent fiscal estimates.

11 Section 602-B. Definitions.

12 The following words and phrases when used in this article
13 shall have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 "Commonwealth agency." Any office, department, authority,
16 board, multistate agency or commission of the executive branch.

17 The term includes:

18 (1) The Office of the Governor.

19 (2) The Office of Attorney General, the Department of
20 the Auditor General and the Treasury Department.

21 (3) An independent agency as defined in 62 Pa.C.S. § 103
22 (relating to definitions).

23 (4) A State-affiliated entity as defined in 62 Pa.C.S. §
24 103 (relating to definitions).

25 (5) The General Assembly.

26 (6) The Judiciary.

27 "Director." The Director of the Independent Fiscal Office.

28 "Office." The Independent Fiscal Office established in
29 section 603-B.

30 "Selection and organization committee." The Independent

1 Fiscal Office Selection and Organization Committee.

2 Section 603-B. Office established.

3 There is established a nonpartisan Independent Fiscal Office
4 as an independent agency.

5 Section 604-B. Duties of office.

6 (a) Mandatory.--The office shall:

7 (1) Prepare revenue estimates to include Federal funds,
8 State revenues and funds from other resources, including any
9 projected revenue surplus or deficit for a given fiscal year,
10 as provided under section 605-B.

11 (2) By November 15 of each year, provide an assessment
12 of the State's current fiscal condition and a projection of
13 what the fiscal condition will be during the next five years.
14 The assessment shall take into account the state of the
15 economy, demographics, revenues and expenditures.

16 (3) Develop performance measures for executive-level
17 programs and departments and evaluate performance measures
18 and results as promulgated and reported by executive-level
19 departments. Performance measurements shall be outcome based
20 and include, but not be limited to, activity cost analysis,
21 measures of status improvement of recipient populations,
22 economic outcomes and performance benchmarks against similar
23 State programs.

24 (4) Provide an analysis, including economic impact, of
25 all tax and revenue proposals submitted by the Governor or
26 the Office of the Budget.

27 (5) Study and analyze the existing sales and use tax law
28 and propose recommendations to the Governor and the General
29 Assembly for amending the tax to:

30 (i) eliminate obsolete and unnecessary provisions;

1 (ii) expand the tax base as necessary;
2 (iii) ensure a competitive economic market in this
3 Commonwealth; and
4 (iv) protect the stability of the Commonwealth's
5 budget.

6 (6) Establish an Internet website.

7 (7) Study and analyze the impact of shared-risk
8 contributions under 24 Pa.C.S. § 8321(b) (relating to regular
9 member contributions for current service) and 71 Pa.C.S. §
10 5501.1 (relating to shared-risk member contributions for
11 Class A-3 and Class A-4 service).

12 (b) Discretionary.--The office may:

13 (1) Develop and use econometric models to annually
14 forecast State revenues and update the models. The office
15 shall make the equations of a model and any historic
16 databases related thereto available to the chair and minority
17 chair of the Appropriations Committee of the Senate, the
18 chair and minority chair of the Appropriations Committee of
19 the House of Representatives, the Majority Leader and
20 Minority Leader of the Senate and the Majority Leader and
21 Minority Leader of the House of Representatives.

22 (2) Provide an analysis of the executive budget,
23 including budgetary projections, economic outlook and
24 economic impact. The budget analysis may include performance
25 recommendations to secure greater efficiency and economy.

26 (3) Provide an assessment of the Pennsylvania economy
27 and the national economy and the impact of the existing or
28 emerging State or national economic trends on revenue
29 performance for the current year and the forecasted or
30 projected revenue collections for the budget year and the

1 succeeding year.

2 Section 605-B. Revenue estimates.

3 (a) Initial revenue estimate.--By May 1, the office shall
4 submit to the General Assembly an initial revenue estimate for
5 the next fiscal year.

6 (b) Official revenue estimate.--

7 (1) By June 15 of each year, the office shall submit an
8 official revenue estimate for the next fiscal year.

9 (2) A revenue estimate submitted under this section
10 shall be considered by the Governor and the General Assembly
11 as the amount of revenue which may be considered for the
12 general appropriation act for the ensuing fiscal year unless
13 the General Assembly or the Governor determines that revenues
14 are greater than or less than the estimate provided under
15 this section. The office may amend the revenue estimate under
16 this section if changes in law affecting revenues and
17 receipts are enacted or proposed to be enacted with the
18 annual State budget or unless significant changes in economic
19 assumptions occur prior to June 30. The office shall submit
20 the amended revenue estimate to the General Assembly within
21 10 days of the change.

22 (3) The office shall publish the methodology used to
23 develop revenue estimates.

24 (c) Information.--The office shall provide the chair and
25 minority chair of the Appropriations Committee of the Senate,
26 the chair and minority chair of the Appropriations Committee of
27 the House of Representatives and the Secretary of the Budget all
28 data, assumptions or econometric models used to develop
29 projections and revenue estimates.

30 (d) Required information.--

1 (1) A revenue estimate submitted by the office under
2 subsection (b) shall include:

3 (i) Projected revenue collections by specific tax or
4 revenue source, including Federal funds, the General
5 Fund, the Lottery Fund and the Motor License Fund.

6 (ii) All data, assumptions and econometric models
7 used to develop a revenue estimate.

8 (iii) Any projected revenue surplus or deficit for
9 the current fiscal year.

10 (2) A revenue estimate shall be based on existing law
11 and tax policy and existing or emerging State or national
12 economic trends.

13 (e) Proposed change in law.--The office shall prepare a
14 revenue estimate of any change in law affecting revenues and
15 receipts, including increases in regulatory fees, proposed or
16 considered as part of the annual State budget. If the proposed
17 change in law will have a fiscal impact in excess of \$10,000,000
18 in any fiscal year, the estimate shall be prepared on the basis
19 of assumptions that estimate the probable behavioral responses
20 of taxpayers, businesses and other persons to the proposed
21 changes and shall include a statement identifying those
22 assumptions. The information may be used to revise the revenue
23 estimate under subsection (a).

24 (f) Department of Revenue.--The Department of Revenue in
25 conjunction with the Secretary of the Budget shall make revenue
26 estimates for the use of the Governor in preparing the budget.

27 (g) Governor.--The Governor shall certify that any
28 appropriation bill does not cause total appropriations to exceed
29 revenues plus any unappropriated surplus as provided in section
30 618.

1 Section 606-B. Budget information.

2 The office shall be notified and shall attend any briefings
3 provided by the Governor or the Secretary of the Budget under
4 section 619.

5 Section 607-B. Expenditures.

6 (a) Expenditure reports.--Commonwealth agencies shall make
7 monthly expenditure data available to the office. The data shall
8 be provided within seven days after the end of each month. The
9 monthly data shall include a summary of the last monthly
10 submission. The data shall be provided in finished reports or
11 electronically, as provided in this act. The data shall be
12 provided by fund, by appropriation, by department and by
13 organization within each department and shall include:

14 (1) Number of filled personnel positions and their cost.

15 (2) Itemized personnel vacancies and their cost.

16 (3) New positions created and their cost.

17 (4) Wage and overtime costs.

18 (5) Allotments and expenditures for itemized personnel
19 expenses.

20 (6) Allotments and expenditures for itemized operating
21 expenses.

22 (7) Allotments and expenditures for itemized fixed
23 assets.

24 (8) The rate of expenditures in appropriations for major
25 subsidy and grant programs during the month.

26 (b) Revenue reports.--The Governor shall direct that monthly
27 revenue reports be submitted to the office. The revenue reports
28 shall show the actual collection of revenue itemized by source
29 and a comparison of the actual collections with estimated
30 collections for each month. The comparison shall include an

1 analysis of any change in collection patterns which will cause a
2 shortfall or overrun on annual estimates of more than 1%.

3 (c) Other revenue data.--Commonwealth agencies shall cause
4 to be prepared any other revenue data as may be requested from
5 time to time by the office.

6 (d) Electronic access.--Except for information that is
7 confidential pursuant to statute, the office shall have access
8 to all information available under this section on inquiry-only
9 screens through an integrated central computer system.

10 Section 608-B. Revenue conference.

11 By January 31 of each year, the office shall convene a
12 meeting with the Secretary of the Budget, the Secretary of
13 Revenue and the chair and minority chair of the Appropriations
14 Committee of the Senate and the chair and minority chair of the
15 Appropriations Committee of the House of Representatives to
16 discuss the following:

17 (1) The Pennsylvania economy and the national economy
18 and the impact of the economic trends on revenue performance
19 for the budget year and the succeeding year.

20 (2) Current year-to-date revenue collections by specific
21 tax or revenue source, including Federal funds, the General
22 Fund, the Lottery Fund and the Motor License Fund and
23 variations that may be occurring in the revenue estimate
24 submitted under section 605-B(a).

25 (3) Any statutory or tax policy changes that may be
26 recommended by the Governor or the General Assembly for the
27 next succeeding fiscal year.

28 Section 609-B. Access to information.

29 (a) Agencies.--The director is authorized to secure
30 information, data, expense information, estimates and statistics

1 directly from a Commonwealth agency or a political subdivision.
2 All Commonwealth agencies and political subdivisions shall
3 furnish the director with all reports of expenditure for each
4 agency and any other available material or data which the
5 director determines to be necessary in the performance of the
6 duties of the office, other than material the disclosure of
7 which would be a violation of law. The director is also
8 authorized, upon agreement with the head of any Commonwealth
9 agency or political subdivision, to utilize the services,
10 facilities and personnel of the agency with or without
11 reimbursement.

12 (b) Office of the Budget.--In carrying out the duties and
13 functions of the office, the director is authorized to obtain
14 information, data, estimates and statistics developed by the
15 Office of the Budget and all Commonwealth agencies. The Office
16 of the Budget shall submit to the office copies of final agency
17 budget requests at the same time they are submitted to the
18 General Assembly under this act.

19 (c) Computer database.--In order to carry out its duties
20 under this article, the office shall have access to any
21 computerized database of a State agency that is required to aid
22 the office in the performance of its duties, except that any
23 statutory requirements regarding privacy of individuals' records
24 shall be observed in providing access.

25 (d) Daily revenue data.--

26 (1) The Secretary of Revenue and the Secretary of the
27 Budget shall post revenue collection data for each deposit
28 day and make the information available to the office and the
29 chair and minority chair of the Appropriations Committee of
30 the Senate and the chair and minority chair of the

1 Appropriations Committee of the House of Representatives.

2 (2) The Governor, the Attorney General, the Auditor
3 General and the State Treasurer shall cause to be prepared
4 any other revenue data as may be requested by the office.

5 (e) Tax information.--For the purposes of carrying out its
6 official duties under section 605-B and notwithstanding any
7 other law of this Commonwealth, the office shall be authorized
8 to access any information in the possession of the Department of
9 Revenue that is obtained from tax payments, returns or reports,
10 including adjustments or corrections made by the department. The
11 information accessed under this section shall be confidential
12 except for official purposes and any person divulging the
13 information shall be subject to section 731 of the act of April
14 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

15 (f) Civil action.--If information is not made available by a
16 Commonwealth agency or political subdivision within a reasonable
17 time, the director may make a written request to the agency
18 head, stating the authority to receive the information. The
19 agency head shall have 15 days to respond. If the information is
20 not provided within 15 days of the receipt of the director's
21 request, the director may bring a civil action to require the
22 agency head to provide the information.

23 Section 610-B. Selection and organization committee.

24 (a) Selection and organization committee.--The Independent
25 Fiscal Office Selection and Organization Committee is
26 established to organize the office and select the director of
27 the office. The selection and organization committee shall
28 consist of the following:

29 (1) The chair and minority chair of the Appropriations
30 Committee of the Senate and the chair and minority chair of

1 the Appropriations Committee of the House of Representatives.

2 (2) The Majority Leader and the Minority Leader of the
3 Senate and the Majority Leader and the Minority Leader of the
4 House of Representatives.

5 (3) The President pro tempore of the Senate and the
6 Speaker of the House of Representatives.

7 (b) Duties of committee.--The selection and organization
8 committee shall deliberate the following:

9 (1) The procedures to be adopted to select the director
10 of the office.

11 (2) The operational budget for the office.

12 Section 611-B. Appointment.

13 (a) Director.--The office shall be headed by a director
14 appointed by the selection and organization committee. The
15 appointment shall be made without regard to political
16 affiliation and solely on the basis of fitness to perform the
17 duties of the office based on qualifications published by the
18 selection and organization committee.

19 (b) Deputy director.--The director shall appoint a deputy
20 director who shall perform such duties as assigned by the
21 director and who shall, during the absence or incapacity of the
22 director or a vacancy, act as the director.

23 (c) Term.--The term of office of the director shall be six
24 years. An individual appointed as director to fill a vacancy
25 prior to the expiration of a term shall serve only for the
26 unexpired portion of that term. An individual serving as
27 director at the expiration of a term may continue to serve until
28 a successor is appointed.

29 (d) Removal.--The director may be removed by a concurrent
30 resolution passed by the Senate and the House of

1 Representatives.

2 Section 612-B. Powers and duties of director.

3 (a) Personnel.--The director shall appoint and fix the
4 compensation of personnel as necessary to carry out the duties
5 and functions of the office. All personnel of the office shall
6 be appointed without regard to political affiliation and solely
7 on the basis of their fitness to perform their duties.

8 (b) Experts and consultants.--In carrying out the duties and
9 functions of the office, the director may procure the temporary
10 or intermittent services of attorneys, experts or consultants or
11 organization thereof by contract.

12 Section 613-B. Records.

13 The office shall be a legislative agency for purpose of the
14 act of February 14, 2008 (P.L.6, No.3), known as the Right-to-
15 Know Law.

16 Section 614-B. Applicability.

17 To the extent that this article is inconsistent with section
18 618, the provisions of this article shall apply.

19 Section 3. The act is amended by adding sections to read:

20 Section 1004. Transferring Certain Powers and Duties
21 Relating to Municipal Pension Reporting and Analysis.--(a)
22 Notwithstanding any other provision of law, the powers and
23 duties of the Public Employee Retirement Commission under the
24 act of December 18, 1984 (P.L.1005, No.205), known as the
25 "Municipal Pension Plan Funding Standard and Recovery Act,"
26 shall be transferred to the Department of the Auditor General in
27 accordance with this section. The transferred duties shall be
28 independent of the Department of the Auditor General's existing
29 audit functions and shall be segregated in a departmental bureau
30 separate from the bureau that performs audit functions as of the

1 effective date of this section.

2 (b) Within thirty (30) days of the effective date of this
3 section, the Department of the Auditor General shall provide
4 notice of the transfer of powers and duties under this section
5 to all of the following:

6 (1) The Governor.

7 (2) The President pro tempore of the Senate.

8 (3) The Speaker of the House of Representatives.

9 (4) The Minority Leader of the Senate.

10 (5) The Minority Leader of the House of Representatives.

11 (6) The chair and minority chair of the Finance
12 Committee of the Senate.

13 (7) The chair and minority chair of the Finance
14 Committee of the House of Representatives.

15 (c) The following shall be transferred to the Department of
16 the Auditor General which are used or held in connection with
17 the powers and duties transferred under this section:

18 (1) All necessary personnel.

19 (2) Contractual obligations.

20 (3) Mortgages, liens, encumbrances and any other secured
21 interests, records, files, property, supplies and equipment.

22 (4) The unexpended balance of appropriations,
23 allocations and other funds available or to be made
24 available.

25 (d) The responsibility of municipalities to file and report
26 materials and to otherwise comply with the "Municipal Pension
27 Plan Funding Standard and Recovery Act" shall remain in effect
28 after the effective date of this section, except all filing and
29 reporting under the "Municipal Pension Plan Funding Standard and
30 Recovery Act" shall be made to the Department of the Auditor

1 General in the manner directed by the department. Within thirty
2 (30) days of the effective date of this section, the Auditor
3 General shall submit to the Legislative Reference Bureau for
4 publication in the Pennsylvania Bulletin, and shall post on the
5 Department of the Auditor General's publicly accessible Internet
6 website, the manner of preparing the filings and reports
7 required by the "Municipal Pension Plan Funding Standard and
8 Recovery Act" and the method of delivering and submitting those
9 filings and reports to the Department of the Auditor General.

10 (e) The Department of the Auditor General shall perform the
11 cost certification procedures pursuant to Chapter 5 of the
12 "Municipal Pension Plan Funding Standard and Recovery Act" and
13 shall transmit its calculation and determination to the Office
14 of the Budget for review and certification within ninety (90)
15 days. After performing its review and certification, the Office
16 of the Budget shall transmit its certification to the Department
17 of the Auditor General for the performance of any additional
18 functions that have been assigned to it under the "Municipal
19 Pension Plan Funding Standard and Recovery Act" in accordance
20 with this section by August 1 of each calendar year. The
21 Department of the Auditor General shall maintain and post the
22 reports required under the "Municipal Pension Plan Funding
23 Standard and Recovery Act" on its publicly accessible Internet
24 website.

25 Section 1005. Transfer of Certain Employees.--By October 1,
26 2016, or upon the duties in section 1004 being transferred,
27 whichever occurs first, the employes of the Public Employee
28 Retirement Commission are transferred to the Department of
29 Auditor General.

30 Section 4. The addition of Article VI-B of the act is a

1 continuation of 71 Pa.C.S. Ch. 41. The following apply:

2 (1) Except as otherwise provided in Article VI-B of the
3 act, all activities initiated under 71 Pa.C.S. Ch. 41 shall
4 continue and remain in full force and effect and may be
5 completed under Article VI-B of the act. Orders, regulations,
6 rules and decisions which were made under 71 Pa.C.S. Ch. 41
7 and which are in effect on the effective date of this section
8 shall remain in full force and effect until revoked, vacated
9 or modified under Article VI-B of the act. Contracts,
10 obligations and collective bargaining agreements entered into
11 under 71 Pa.C.S. Ch. 41 are not affected nor impaired by the
12 repeal of 71 Pa.C.S. Ch. 41.

13 (2) Any difference in language between Article VI-B of
14 the act and the 71 Pa.C.S. Ch. 41 is intended only to conform
15 to the style of the act and is not intended to change or
16 affect the legislative intent, judicial construction or
17 administration and implementation of 71 Pa.C.S. Ch. 41.
18 Section 5. Repeals are as follows:

19 (1) The General Assembly declares that the repeal under
20 paragraph (2) is necessary to effectuate the addition of
21 Article VI-B of the act.

22 (2) The provisions of 71 Pa.C.S. Ch. 41 are repealed.

23 (3) The act of July 9, 1981 (P.L.208, No.66), known as
24 the Public Employee Retirement Commission Act, is repealed
25 insofar as it is inconsistent with this act.

26 Section 6. This act shall take effect immediately.