

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 2227** Session of  
1976

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INTRODUCED BY MESSRS. SHELHAMER, FINEMAN, BUTERA, MANDERINO,  
RYAN, PITTS, BERSON, GALLAGHER, SHANE, PANCOAST, YAHNER,  
MRS. KELLY, MESSRS. BRANDT, KLINGAMAN, W. W. FOSTER, THOMAS,  
COLE, BRADLEY, WOJDAK, R. W. WILT, MORRIS, RAPPAPORT AND  
PRATT, MARCH 22, 1976

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AS REPORTED FROM COMMITTEE ON AGRICULTURE, HOUSE OF  
REPRESENTATIVES, AS AMENDED, MAY 18, 1976

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## AN ACT

1 Providing for the operation of the School of Veterinary Medicine  
2 of the University of Pennsylvania as an integral part of the  
3 Commonwealth system of higher education; providing for  
4 delivery of services by the School of Veterinary Medicine to  
5 owners of animals in the Commonwealth; providing for public  
6 representation on the Board of Overseers of the School of  
7 Veterinary Medicine; providing for public support and capital  
8 improvements; authorizing appropriations in amounts to be  
9 fixed by the General Assembly; providing for the auditing of  
10 expenditures from said appropriations; requiring the  
11 President of the University of Pennsylvania and the Dean of  
12 the School of Veterinary Medicine to make an annual report of  
13 the operations of the school to the Governor and to the  
14 General Assembly.

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

17 Section 1. Short Title.--This act shall be known and may be  
18 cited as the "Commonwealth-University of Pennsylvania School of  
19 Veterinary Medicine Act."

20 Section 2. Legislative Findings; Declaration of Policy.--(a)  
21 It is hereby determined and declared as a matter of legislative  
22 finding that:

1 (1) the School of Veterinary Medicine of the University  
2 of Pennsylvania was established in 1884 as a department of  
3 the university, a corporation with perpetual existence under  
4 the laws of the Commonwealth of Pennsylvania functioning as  
5 an independent, non-sectarian institution of higher learning  
6 which shares in the educational appropriations of the  
7 Commonwealth;

8 (2) the school is the only School of Veterinary Medicine  
9 in the Commonwealth and serves the public purpose as the  
10 Commonwealth's principal source of veterinarians, in clinical  
11 services to the livestock and poultry industries and to the  
12 owners of companion and sporting animals, as a diagnostic,  
13 referral and continuing education center for practicing  
14 veterinarians, in public health activities, and by basic and  
15 applied research on animal and related human diseases;

16 (3) the school occupies land, buildings and other  
17 facilities owned and maintained by the university, together  
18 with land and buildings owned by the Commonwealth, which are  
19 used for the school's programs of teaching, research, and  
20 public service in veterinary medicine; ~~and~~ ←

21 (4) the Commonwealth of Pennsylvania recognizes the  
22 School of Veterinary Medicine of the University of  
23 Pennsylvania as an indispensable source of education,  
24 training, research and service in veterinary medicine, and  
25 that it is desirable to perpetuate and extend the  
26 relationship between the Commonwealth of Pennsylvania and the  
27 School of Veterinary Medicine of the University of  
28 Pennsylvania for the purpose of improving and strengthening  
29 the school's services to the Commonwealth; AND ←

30 (5) THAT THE COMMONWEALTH OF PENNSYLVANIA ALSO ←

1 RECOGNIZES THAT OTHER INSTITUTIONS OF HIGHER EDUCATION  
2 MAINTAIN SPECIAL PROGRAMS IN AGRICULTURE AND RELATED  
3 VETERINARY SCIENCES; THAT THE UNIVERSITY OF PENNSYLVANIA AND  
4 SUCH OTHER INSTITUTIONS OF HIGHER EDUCATION HAVE A MUTUAL  
5 OBLIGATION TO BE RESPONSIVE TO THE AGRICULTURAL NEEDS OF THE  
6 COMMONWEALTH AS RELATED TO ANIMAL HEALTH AND PRODUCTIVITY;  
7 AND THAT THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA AND  
8 SUCH OTHER INSTITUTIONS OF HIGHER EDUCATION SHALL ADOPT A  
9 COOPERATIVE AGREEMENT AND ESTABLISH A STANDING LIAISON  
10 MECHANISM TO DEVELOP AND FOSTER THEIR CONTINUING EFFORTS  
11 TOWARD COLLABORATION ON PROGRAMS AND ACTIVITIES IN EDUCATION,  
12 RESEARCH AND SERVICE TO THE COMMONWEALTH.

13 Therefore, it is hereby declared to be the purpose of this  
14 act to expand and improve programs in veterinary medicine for  
15 the benefit of the Commonwealth by providing for the operation  
16 of the School of Veterinary Medicine by the Trustees of the  
17 University of Pennsylvania as an integral part of the higher  
18 education system of the Commonwealth.

19 Section 3. Public Support; Costs of Education and  
20 Services.--In ~~lieu~~ LIGHT of tuition and fee schedules authorized ←  
21 by the trustees of the university with the advice of the Board  
22 of Overseers, the Commonwealth, through legislative  
23 appropriations as provided by law, may provide support for the  
24 costs of education of students enrolled in the School of  
25 Veterinary Medicine and for the costs of delivery of services by  
26 the School of Veterinary Medicine through its hospitals and  
27 other programs, to enable the school to meet its full costs of  
28 operation, including indirect expenses.

29 Section 4. Capital Improvements.--The benefits of all  
30 Commonwealth or Commonwealth authority programs for capital

1 development and improvement shall be available to the university  
2 for the benefit of the School of Veterinary Medicine under terms  
3 and conditions comparable to those applicable to State-related  
4 institutions of higher learning and State colleges. In  
5 accordance with legislative appropriations made as provided by  
6 law, the Commonwealth may by agreement with the trustees of the  
7 university, acquire lands, erect and equip buildings, and  
8 provide facilities for the use of the School of Veterinary  
9 Medicine and its hospitals, and the Commonwealth may cancel and  
10 forgive, without consideration, any obligation of the university  
11 heretofore undertaken to repay to the Commonwealth, OR THE  
12 DEPARTMENT OF GENERAL SERVICES or the General State Authority,  
13 in the form of rents or otherwise, amounts expended for the  
14 foregoing purpose.

15 Section 5. Board of Overseers.--(a) By agreement with the  
16 trustees of the university, there shall be ~~seven~~ 11 Commonwealth  
17 members on the Board of Overseers of the School of Veterinary  
18 Medicine, a body of up to ~~21~~ 25 members, INCLUDING  
19 REPRESENTATION FROM THE LIVESTOCK INDUSTRY OF THE COMMONWEALTH,  
20 THE PENNSYLVANIA VETERINARY MEDICAL ASSOCIATION AND THE  
21 PENNSYLVANIA STATE UNIVERSITY established by the trustees of the  
22 university to advise the dean, the appropriate university  
23 officers and the trustees of the university on all matters  
24 concerning the school's mission and effectiveness.

25 (b) The Commonwealth members of the Board of Overseers shall  
26 consist of ~~six appointive members together with~~ NINE MEMBERS IN  
27 ADDITION TO the Secretary of Education or his designee, ex  
28 officio AND THE SECRETARY OF AGRICULTURE OR HIS DESIGNEE. Of the  
29 ~~appointive~~ members, ~~two~~ ONE shall be appointed by the Governor,  
30 ~~two by the President pro tempore of the Senate, and two by the~~

1 ~~Speaker of the House of Representatives. One half of the~~  
2 ~~appointments shall be made by each of the appointing authorities~~  
3 ~~for a term of four years and one half for a term of two years~~  
4 ~~commencing in January 1976; biannually, thereafter, appointments~~  
5 ~~shall be made by each of the appointing authorities for a term~~  
6 ~~of four years.~~ FOR A TERM OF FOUR YEARS AND THE REMAINING EIGHT <—  
7 SHALL CONSIST OF THE FOLLOWING:

8 (1) THE CHAIRMAN AND MINORITY CHAIRMAN OR THEIR DESIGNEE  
9 OF THE SENATE EDUCATION COMMITTEE.

10 (2) THE CHAIRMAN AND MINORITY CHAIRMAN OR THEIR DESIGNEE  
11 OF THE SENATE AGRICULTURE COMMITTEE.

12 (3) THE CHAIRMAN AND MINORITY CHAIRMAN OR THEIR DESIGNEE  
13 OF THE HOUSE AGRICULTURE COMMITTEE.

14 (4) THE CHAIRMAN AND MINORITY CHAIRMAN OR THEIR DESIGNEE  
15 OF THE HOUSE EDUCATION COMMITTEE. Vacancies shall be filled  
16 for the unexpired terms in the same manner as original  
17 appointments.

18 ~~Section 6. Report. The president of the university and the~~ <—  
19 ~~Dean of the School of Veterinary Medicine of the University of~~  
20 ~~Pennsylvania, with the advice of the Board of Overseers, shall~~  
21 ~~each year, not later than October 1, make a report to the~~  
22 ~~Governor and to the members of the General Assembly of the~~  
23 ~~status of animal health and productivity in the Commonwealth and~~  
24 ~~the significance thereto of the programs and services of the~~  
25 ~~School of Veterinary Medicine for the preceding academic year of~~  
26 ~~the university.~~

27 SECTION 6. REPORTS.--THE PRESIDENT OF THE UNIVERSITY AND THE <—  
28 DEAN OF THE SCHOOL OF VETERINARY MEDICINE OF THE UNIVERSITY OF  
29 PENNSYLVANIA, WITH THE ADVICE OF THE BOARD OF OVERSEERS, SHALL  
30 MAKE A REPORT, NOT LATER THAN OCTOBER 1 OF EACH YEAR, TO THE

1 GOVERNOR AND TO THE MEMBERS OF THE GENERAL ASSEMBLY ON THE  
2 PROGRAMS AND ACTIVITIES OF THE SCHOOL OF VETERINARY MEDICINE FOR  
3 THE PRECEDING ACADEMIC YEAR OF THE UNIVERSITY AND SHALL INCLUDE  
4 THE SIGNIFICANCE OF THE PROGRAMS AND SERVICES OF THE SCHOOL OF  
5 VETERINARY MEDICINE TO ANIMAL HEALTH AND PRODUCTIVITY IN THE  
6 COMMONWEALTH. COPIES OF THE REPORT SHALL BE SENT ALSO TO THE  
7 SECRETARY OF EDUCATION, TO THE COUNCIL OF HIGHER EDUCATION OF  
8 THE STATE BOARD OF EDUCATION, AND TO THE SECRETARY OF  
9 AGRICULTURE.

10 Section 7. Appropriations and Accountability.--(a) The sums  
11 appropriated by the Commonwealth shall be paid to the trustees  
12 of the university on a monthly basis, upon presentation by them  
13 of payrolls and vouchers, including allocations of indirect  
14 costs, certified by the comptroller of the university and  
15 showing expenditures in accordance with the appropriations. The  
16 Secretary of Education shall draw a warrant upon the State  
17 Treasurer for payment of approved expenditures. All expenditures  
18 in respect to such appropriations shall be subject to a post-  
19 audit by the Auditor General and such other audits as may be  
20 required by law.

21 (b) For the purpose of assuring proper accountability on the  
22 part of the University of Pennsylvania for the expenditure of  
23 amounts appropriated by the Commonwealth for the operation of  
24 the School of Veterinary Medicine, the university shall  
25 establish a School of Veterinary Medicine Commonwealth  
26 Appropriations Account into which only amounts appropriated by  
27 the Commonwealth shall be credited when received. The university  
28 and the school shall apply the moneys in the Commonwealth  
29 Appropriations Account only for such purposes as are permitted  
30 by the appropriations and shall at all times maintain proper

1 records showing the application of such moneys.

2 (c) Not later than 90 days after the close of the fiscal  
3 year to which an appropriation relates, the university shall  
4 file with the Department of Education, the members of the  
5 General Assembly and the Auditor General of the Commonwealth a  
6 statement setting forth the amounts and purposes of all  
7 expenditures made on behalf of the School of Veterinary Medicine  
8 from the Commonwealth Appropriations Account and other accounts  
9 during said fiscal year. Such statement of expenditures shall be  
10 reviewed by the Auditor General of the Commonwealth and he shall  
11 have the right, in respect to the Commonwealth Appropriations  
12 Account, to audit and disallow expenditures made for purposes  
13 not permitted by the appropriations and to cause such sums to be  
14 recovered and paid by the University of Pennsylvania to the  
15 Treasurer of the Commonwealth. In respect to expenditures made  
16 by the university from accounts other than the Commonwealth  
17 Appropriations Account, the Auditor General shall have the right  
18 to review only, and he shall file annually with the Department  
19 of Education and the members of the General Assembly such  
20 information concerning said expenditures as they may request.

21 Section 8. Conformity to Other Statutes; Exemption.--(a)  
22 Sections 1317(b)(4) and (5) of the act of April 9, 1929  
23 (P.L.177, No.175), known as "The Administrative Code of 1929,"  
24 added June 17, 1963 (P.L.143, No.94), and amended October 18,  
25 1972 (P.L.935, No.224), shall apply to any action by the  
26 Trustees of the University of Pennsylvania proposing to  
27 establish additional branches or campuses, or to discontinue  
28 branches or campuses of the School of Veterinary Medicine, or to  
29 establish a new professional school in veterinary medicine.

30 (b) The act of March 15, 1899 (P.L.8, No.4), entitled "An

1 act to regulate the manner in which appropriations to  
2 educational, penal, reformatory, charitable, benevolent, or  
3 eleemosynary institutions shall be paid," shall not apply to any  
4 appropriation made in pursuance of this act.

5 Section 9. Effective Date.--This act shall take effect  
6 immediately.