

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2227

Session of
1976

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

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

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.