

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 724 Session of
1995

INTRODUCED BY STAIRS, COWELL, FARGO, PETTIT, HERMAN, STISH,
TRELLO, CLARK, BAKER, FLEAGLE, DEMPSEY, MERRY, BROWN, THOMAS,
SEMMELE, VAN HORNE, BATTISTO, E. Z. TAYLOR, CIVERA, TULLI,
GEIST, FAJT, HENNESSEY, SHANER AND COLAFELLA,
FEBRUARY 14, 1995

REFERRED TO COMMITTEE ON APPROPRIATIONS, FEBRUARY 14, 1995

AN ACT

1 Amending the act of July 2, 1993 (P.L.439, No.64), entitled "An
2 act creating the Ben Franklin/IRC Partnership and providing
3 for its powers; establishing the Ben Franklin/IRC Partnership
4 Fund; providing for certification of industrial resource
5 centers, for certification of Ben Franklin technology centers
6 and for certain transfers; and making repeals," providing for
7 the Federal Technology Matching Fund grant program; and
8 making an appropriation.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 3 of the act of July 2, 1993 (P.L.439,
12 No.64), known as the Ben Franklin/IRC Partnership Act, is
13 amended by adding definitions to read:

14 Section 3. Definitions.

15 The following words and phrases when used in this act shall
16 have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 * * *

19 "Community colleges." Institutions now or hereafter created

1 under the act of August 24, 1963 (P.L.1132, No.484), known as
2 the Community College Act of 1963.

3 * * *

4 "Eligible institution." An independent institution of higher
5 education, a State-owned institution, a State-related
6 institution or a community college. The term shall not mean an
7 institution which is determined by the agency to be a
8 theological seminary or school of theology or a sectarian and
9 denominational institution.

10 "Independent institution of higher education." An
11 institution of higher education which is operated not-for-
12 profit, located in and incorporated or chartered by the
13 Commonwealth, entitled to confer degrees as set forth in section
14 211 of the former act of May 5, 1933 (P.L.289, No.105), known as
15 the Nonprofit Corporation Law of 1933 or under the provisions of
16 15 Pa.C.S. Pt. II Subpt. C Art. B (relating to domestic
17 nonprofit corporations generally), and entitled to apply to
18 itself the designation "college" or "university" as provided for
19 by standards and qualifications prescribed by the State Board of
20 Education pursuant to the act of November 12, 1982 (P.L.660,
21 No.188), entitled "An act amending the act of March 10, 1949
22 (P.L.30, No.14), entitled 'An act relating to the public school
23 system, including certain provisions applicable as well to
24 private and parochial schools; amending, revising, consolidating
25 and changing the laws relating thereto,' establishing the State
26 System of Higher Education and designating its institutions;
27 creating and defining the powers and duties of the Board of
28 Governors; establishing the office and duties of the chancellor
29 of the university system; defining the powers and duties of
30 presidents and the Councils of Trustees of the University

1 Institutions; relating the powers and duties of the State Board
2 of Education with the university system; and making certain
3 repeals."

4 * * *

5 "State-owned institutions." Any of the member institutions,
6 or branch campuses thereof, of the State System of Higher
7 Education established under Article XX-A of the act of March 10,
8 1949 (P.L.30, No.14), known as the Public School Code of 1949.

9 "State-related institutions." The Pennsylvania State
10 University, the University of Pittsburgh, Temple University,
11 Lincoln University and their branch campuses and any institution
12 which is hereafter designated "State-related" by the
13 Commonwealth.

14 Section 2. Sections 5 and 7 of the act are amended by adding
15 subsections to read:

16 Section 5. Powers and duties of partnership.

17 * * *

18 (c) Federal Technology Matching Fund grants.--

19 (1) In carrying out the powers and duties imposed under
20 subsection (a)(4), the partnership board may award grants
21 from the Federal Technology Matching Fund to an eligible
22 institution, a consortia of eligible institutions or to a
23 consortia of eligible institutions and private industry for
24 the purpose of providing matching funds to leverage funds
25 from the Federal Government made available under the Defense
26 Reinvestment and Conversion Initiative Program.

27 (2) The partnership board shall promulgate regulations
28 necessary to carry out the purposes of this subsection and
29 which specifically address the following matters:

30 (i) The award of grants shall be based on standards

1 and criteria set forth in 34 CFR 33.1 (relating to basis
2 and purpose).

3 (ii) Permit the commingling of private industry
4 gifts, foundation grants or other funds with State grants
5 to achieve the necessary matching fund level.

6 (iii) Prohibit the use of more than 50% of the
7 Federal Technology Matching Fund by any eligible
8 institutions, a consortia of eligible institutions or a
9 consortia of eligible institutions and private industry.

10 Section 7. Fund.

11 * * *

12 (a.1) Federal Technology Matching Fund.--There is hereby
13 established within the Ben Franklin/IRC Partnership Fund a
14 separate restricted fund to be known as the Federal Technology
15 Matching Fund, which is hereby appropriated on a continuing
16 basis to the partnership board for the specific purposes set
17 forth in section 5(c).

18 * * *

19 Section 3. The sum of \$10,000,000, or as much thereof as may
20 be necessary, is hereby specifically appropriated to the Federal
21 Technology Matching Fund for the fiscal year July 1, 1995, to
22 June 30, 1996.

23 Section 4. This act shall take effect immediately.