

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1239 Session of  
2001

INTRODUCED BY VEON, COY, GEORGE, D. EVANS, HALUSKA, ROBINSON,  
BARRAR, LAUGHLIN, HORSEY, LAWLESS, ALLEN, DALEY, BELARDI,  
STABACK, McCALL, BEBKO-JONES, CALTAGIRONE, HARHAI, BLAUM,  
MELIO, DIVEN, THOMAS, KIRKLAND, PRESTON, J. WILLIAMS,  
LEVDANSKY, ROONEY, YOUNGBLOOD, WANSACZ, DONATUCCI, SCRIMENTI,  
SOLOBAY, COSTA, TRELLO, JAMES, DeLUCA, STETLER AND FRANKEL,  
APRIL 2, 2001

REFERRED TO COMMITTEE ON LABOR RELATIONS, APRIL 2, 2001

AN ACT

1 Amending the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3),  
2 entitled "An act providing for the establishment and  
3 operation of the University of Pittsburgh as an  
4 instrumentality of the Commonwealth to serve as a State-  
5 related university in the higher education system of the  
6 Commonwealth; providing for change of name; providing for the  
7 composition of the board of trustees; terms of trustees, and  
8 the power and duties of such trustees; authorizing  
9 appropriations in amounts to be fixed annually by the General  
10 Assembly; providing for the auditing of accounts of  
11 expenditures from said appropriations; providing for public  
12 support and capital improvements; authorizing the issuance of  
13 bonds exempt from taxation within the Commonwealth; requiring  
14 the chancellor to make an annual report of the operations of  
15 the University of Pittsburgh," further providing for the  
16 Board of Trustees of the university; providing for the  
17 appointment of Trustees to the Board of the University of  
18 Pittsburgh Medical Center Health System; and further  
19 providing for use of appropriated funds and for reports.

20 The General Assembly of the Commonwealth of Pennsylvania  
21 hereby enacts as follows:

22 Section 1. Section 4 of the act of July 28, 1966 (3rd  
23 Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh--  
24 Commonwealth Act, is amended to read:

Section 4. Board of Trustees; Composition; Commonwealth Trustees; Terms.--(a) The amended charter of the university as provided by section 3 of this act shall also provide that the board of trustees of the university shall consist of [thirty-six] forty voting members, one of whom shall be the Chancellor of the University of Pittsburgh and the Governor of the State, the Superintendent of the Department of Public Instruction and the Mayor of the City of Pittsburgh, all of whom shall be members of the board of trustees, ex officio.

(b) [Twelve] Sixteen of the trustees shall be designated Commonwealth trustees and four shall be appointed by the Governor, with the advice and consent of two-thirds of all of the members of the Senate, four by the President Pro Tempore of the Senate, and four by the Speaker of the House of Representatives. The remaining Commonwealth trustees shall be appointed as follows:

(1) One senator appointed by the President Pro Tempore of the Senate.

(2) One senator appointed by the Minority Leader of the Senate.

(3) One representative appointed by the Speaker of the House of Representatives.

(4) One representative appointed by the Minority Leader of the House of Representatives.

One appointment shall be made by each of the appointing authorities for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year commencing with the date when the change in the charter of the university becomes effective. Annually thereafter, one appointment shall be made by each of the three Commonwealth

1 appointing authorities for a term of four years. The legislative  
2 appointees shall serve for a term concurrent with their term in  
3 office.

4 (c) The twenty-four trustees, in addition to the [twelve]  
5 sixteen Commonwealth trustees, shall be elected annually under  
6 such terms and conditions as may be provided by the university  
7 by-laws.

8 Section 2. The act is amended by adding a section to read:

9 Section 4.1 Appointment of Trustees of the Board of the  
10 University of Pittsburgh Medical Center Health System.--Four  
11 Commonwealth trustees, from among the members of the Senate and  
12 the House of Representatives, shall be appointed to the board of  
13 trustees of the University of Pittsburgh Medical Center Health  
14 System:

15 (1) One senator appointed by the President Pro Tempore of  
16 the Senate.

17 (2) One senator appointed by the Minority Leader of the  
18 Senate.

19 (3) One representative appointed by the Speaker of the House  
20 of Representatives.

21 (4) One representative appointed by the Minority Leader of  
22 the House of Representatives.

23 The legislative appointees shall serve for a term concurrent  
24 with their term in office.

25 Section 3. Sections 7 and 10 of the act are amended to read:

26 Section 7. Payments of Appropriations, Accountability and  
27 Auditing.--(a) The sums appropriated by the Commonwealth shall  
28 be paid to the board of trustees only upon presentation by them  
29 of certified payrolls and vouchers showing expenditures in  
30 accordance with the appropriations. The Auditor General shall

1 draw a warrant upon the State Treasurer for payment of approved  
2 expenditures. All expenditures made by the board of trustees in  
3 respect to such appropriations shall be subject to a post-audit  
4 by the Auditor General.

5 (b) For the purpose of assuring the proper accountability on  
6 the part of the University of Pittsburgh for the expenditure of  
7 the amounts appropriated by the Commonwealth, the University of  
8 Pittsburgh shall establish a Commonwealth Appropriation Account  
9 into which only the amounts appropriated by the Commonwealth  
10 shall be credited when received. The University of Pittsburgh  
11 shall apply the moneys in the Commonwealth Appropriation Account  
12 only for such purposes as are permitted in the act appropriating  
13 the same and shall at all times maintain proper records showing  
14 the application of such moneys. No moneys appropriated by the  
15 Commonwealth shall be used to deter union organizing or  
16 collective bargaining. Not later than ninety days after the  
17 close of the fiscal year to which the specific appropriation  
18 relates, the University of Pittsburgh shall file with the  
19 General Assembly and with the Auditor General of the  
20 Commonwealth, a statement setting forth the amounts and purposes  
21 of all expenditures made from both the Commonwealth  
22 Appropriation Account and other university accounts during the  
23 fiscal year. Such statement of expenditures shall be reviewed by  
24 the Auditor General of the Commonwealth, and he shall have the  
25 right, in respect to the Commonwealth Appropriation Account, to  
26 audit and disallow expenditures made for purposes not permitted  
27 by the appropriation act and to cause such sums to be recovered  
28 and paid by the University of Pittsburgh to the Treasurer of the  
29 Commonwealth. In respect to expenditures made by the university  
30 from accounts other than the Commonwealth Appropriation Account,

1 the Auditor General shall have the right to review only and he  
2 shall file annually with the General Assembly such information  
3 concerning such expenditures as the General Assembly or any of  
4 its committee may require.

5 Section 10. Reports.--The Chancellor of the university shall  
6 each year, not later than the first day of October, make a  
7 report of all the activities of the university, instructional,  
8 administrative and financial, for the preceding scholastic and  
9 fiscal year, to the board of trustees, who shall transmit the  
10 same to the Governor and to the members of the General Assembly.  
11 Such report shall include the names and addresses of each member  
12 of the board of trustees.

13 Section 4. This act shall take effect immediately.