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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1708 Session of  
2009

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INTRODUCED BY D. EVANS, JUNE 15, 2009

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REFERRED TO COMMITTEE ON APPROPRIATIONS, JUNE 15, 2009

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A SUPPLEMENT

1 To the act of April 1, 1863 (P.L.213, No.227), entitled "An act  
2 to accept the grant of Public Lands, by the United States, to  
3 the several states, for the endowment of Agricultural  
4 Colleges," making Federal and State appropriations for  
5 carrying the same into effect; and providing for a basis for  
6 payments of such appropriations, for a method of accounting  
7 for the funds appropriated and for certain fiscal information  
8 disclosure.

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

11 Section 1. In order to carry into effect the act of  
12 Congress, approved July 2, 1862, granting public land to the  
13 several states for educational purposes, and subsequent acts of  
14 Congress related thereto, and the act of the General Assembly of  
15 Pennsylvania accepting the provisions and conditions of said  
16 acts of Congress and pledging the faith of the State to carry  
17 the same into effect, the following sums, or as much thereof as  
18 may be necessary, are hereby appropriated to the Trustees of The  
19 Pennsylvania State University for the fiscal year July 1, 2009,  
20 to June 30, 2010, for the purposes and in the amounts as shown:

21 Federal State

1 For general support.  
2 State appropriation..... \$318,073,000

3 The following Federal  
4 amounts are appropriated to  
5 supplement the sum  
6 appropriated for general  
7 support:

8 (1) "American Recovery and  
9 Reinvestment Act - Fiscal  
10 Stabilization."

11 Federal appropriation..... \$20,302,000

12 Section 2. Payments to The Pennsylvania State University on  
13 account of the appropriation provided in section 1 shall be made  
14 on the basis of costs during the fiscal year.

15 Section 3. (a) Subject to the requirements of subsection  
16 (c), payments to The Pennsylvania State University of the  
17 appropriation provided in section 1 shall be made monthly during  
18 the fiscal year.

19 (b) Such monthly payments shall be made in accordance with  
20 the provisions of section 2 on the basis of estimated costs. The  
21 estimate of costs shall be submitted by The Pennsylvania State  
22 University to the Secretary of Education, the General Assembly  
23 and the State Treasurer not later than 30 days prior to the date  
24 on which such payment is to be made.

25 (c) No funds appropriated under this act shall be received  
26 by The Pennsylvania State University unless the university  
27 agrees to enter into articulation agreements with the community  
28 colleges and the State System of Higher Education institutions  
29 pursuant to Article XX-C of the act of March 10, 1949 (P.L.30,  
30 No.14), known as the Public School Code of 1949, and agrees to

1 participate in a longitudinal data system operated by the  
2 Commonwealth consistent with any applicable United States  
3 Department of Education guidelines. Failure to implement  
4 agreements and participate in the longitudinal data system for  
5 the 2010-2011 school year shall result in the university  
6 returning to the Commonwealth payments received under this act.

7 Section 4. (a) The Pennsylvania State University shall  
8 apply the moneys appropriated by this act only for such purposes  
9 as are permitted in this act and shall at all times maintain  
10 proper records showing the application of such moneys. Not later  
11 than 120 days after the close of the fiscal year to which this  
12 act relates, The Pennsylvania State University shall file, with  
13 the Secretary of Education, the General Assembly and the Auditor  
14 General of the Commonwealth, a statement setting forth the  
15 amounts and purposes of all expenditures made from moneys  
16 appropriated by this act and other university accounts during  
17 said fiscal year, as provided in section 2, used as a basis for  
18 receipt of any appropriation during said fiscal year.

19 (b) Such statement of expenditures and costs shall be  
20 reviewed by the Auditor General of the Commonwealth, and he  
21 shall have the right, in respect to the moneys appropriated by  
22 this act, to audit and disallow expenditures made for purposes  
23 not permitted by this act and to cause such sums to be recovered  
24 and paid by The Pennsylvania State University to the State  
25 Treasurer. In respect to expenditures made by the university  
26 from moneys other than those appropriated by this act, the  
27 Auditor General shall have the right to review only, and he  
28 shall file annually with the General Assembly such information  
29 concerning such expenditures as the General Assembly or any of  
30 its committees may require.

1 Section 5. The Pennsylvania State University shall provide  
2 full, complete and accurate information as may be required by  
3 the Department of Education or the chairman or the minority  
4 chairman of the Appropriations Committee of the Senate or the  
5 chairman or the minority chairman of the Appropriations  
6 Committee of the House of Representatives.

7 Section 6. The Pennsylvania State University shall present  
8 and report its financial statements required under the  
9 provisions of this act in accordance with: the generally  
10 accepted accounting principles as prescribed by the National  
11 Association of College and University Business Officers, the  
12 American Institute of Certified Public Accountants, or their  
13 successors, or by any other recognized authoritative body; the  
14 "Commonwealth of Pennsylvania Budget Instructions for the State  
15 System of Higher Education, State-Related Universities and Non-  
16 State-Related Colleges and Universities"; and, the financial  
17 reporting policies and standards promulgated by the Commonwealth  
18 of Pennsylvania and by the Federal Government that apply to The  
19 Pennsylvania State University.

20 Section 7. The Pennsylvania State University shall make all  
21 articulation agreements with other higher education institutions  
22 available on the Internet.

23 Section 8. This act shall take effect July 1, 2009, or  
24 immediately, whichever is later.