

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1709 Session of 2009

INTRODUCED BY D. EVANS, JUNE 15, 2009

REFERRED TO COMMITTEE ON APPROPRIATIONS, JUNE 15, 2009

A SUPPLEMENT

1 To the act of July 7, 1972 (P.L.743, No.176), entitled "An act
 2 providing for the establishment and operation of Lincoln
 3 University as an instrumentality of the Commonwealth to serve
 4 as a State-related institution in the higher education system
 5 of the Commonwealth; providing for change of name; providing
 6 for the composition of the board of trustees; terms of
 7 trustees, and the power and duties of such trustees;
 8 providing for preference to Pennsylvania residents in
 9 tuition; authorizing appropriations in amounts to be fixed
 10 annually by the General Assembly; providing for the auditing
 11 of accounts of expenditures from said appropriations;
 12 providing for public support and capital improvements;
 13 authorizing the issuance of bonds exempt from taxation within
 14 the Commonwealth; requiring the President to make an annual
 15 report of the operations of Lincoln University," making
 16 Federal and State appropriations for carrying the same into
 17 effect; and providing for a basis for payments of the
 18 appropriations, for a method of accounting for the funds
 19 appropriated and for certain fiscal information disclosure.

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

22 Section 1. (a) The sum of \$13,623,000, or as much thereof
 23 as may be necessary, is hereby appropriated from the General
 24 Fund to the Trustees of Lincoln University, Chester County, for
 25 the fiscal year July 1, 2009, to June 30, 2010, for general
 26 support.

27 (b) The sum of \$870,000, or as much thereof as may be

1 necessary, is hereby appropriated from Federal funds available
2 through the American Recovery and Reinvestment Act - Fiscal
3 Stabilization Fund to the Trustees of Lincoln University,
4 Chester County, for the fiscal year July 1, 2009, to June 30,
5 2010, for general support.

6 Section 2. Payments to Lincoln University on account of the
7 appropriation in section 1 shall be made on the basis of costs
8 during the fiscal year.

9 Section 3. (a) Subject to the requirements of subsection
10 (c), payments to Lincoln University of the appropriation
11 provided in section 1 shall be made monthly during the fiscal
12 year.

13 (b) Such monthly payments shall be made in accordance with
14 the provisions of section 2 on the basis of estimated costs. The
15 estimate of costs shall be submitted by Lincoln University to
16 the Secretary of Education, the General Assembly and the State
17 Treasurer not later than 30 days prior to the date on which such
18 payment is to be made.

19 (c) No funds appropriated under this act shall be received
20 by Lincoln University unless the university agrees to enter into
21 articulation agreements with the community colleges and the
22 State System of Higher Education institutions pursuant to
23 Article XX-C of the act of March 10, 1949 (P.L.30, No.14), known
24 as the Public School Code of 1949, and agrees to participate in
25 a longitudinal data system operated by the Commonwealth
26 consistent with any applicable United States Department of
27 Education guidelines. Failure to implement agreements and
28 participate in the longitudinal data system for the 2010-2011
29 school year shall result in the university returning to the
30 Commonwealth payments received under this act.

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

12 (b) Such statement of expenditures and costs shall be
13 reviewed by the Auditor General of the Commonwealth, and he
14 shall have the right, in respect to the moneys appropriated by
15 this act, to audit and disallow expenditures made for purposes
16 not permitted by this act and to cause such sums to be recovered
17 and paid by Lincoln University to the State Treasurer. In
18 respect to expenditures made by the university from moneys other
19 than those appropriated by this act, the Auditor General shall
20 have the right to review only, and he shall file annually with
21 the General Assembly such information concerning said
22 expenditures as the General Assembly or any of its committees
23 may require.

24 Section 5. Lincoln University shall provide full, complete
25 and accurate information as may be required by the Department of
26 Education or the chairman or the minority chairman of the
27 Appropriations Committee of the Senate or the chairman or the
28 minority chairman of the Appropriations Committee of the House
29 of Representatives.

30 Section 6. Lincoln University shall present and report its

1 financial statements required under the provisions of this act
2 in accordance with: the generally accepted accounting principles
3 as prescribed by the National Association of College and
4 University Business Officers, the American Institute of
5 Certified Public Accountants, or their successors, or by any
6 other recognized authoritative body; the "Commonwealth of
7 Pennsylvania Budget Instructions for the State System of Higher
8 Education, State-Related Universities and Non-State-Related
9 Colleges and Universities"; and the financial reporting policies
10 and standards promulgated by the Commonwealth of Pennsylvania
11 and by the Federal Government that apply to Lincoln University.

12 Section 7. Lincoln University shall make all articulation
13 agreements with other higher education institutions available on
14 the Internet.

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